United Nations S/PV.7439

Security Council

Seventieth year

Provisional

7439th meeting
Monday, 11 May 2015, 10 a.m.
New York

President:	Ms. Murmokaitė	(Lithuania)
Members:	Angola	Mr. Gaspar Martins
	Chad	Mr. Cherif
	Chile	Mr. Llanos
	China	Mr. Liu Jieyi
	France	Mr. Delattre
	Jordan	Mrs. Kawar
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Taula
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Churkin
	Spain	Mr. Oyarzun Marchesi
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Power
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

15-13594 (E)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

The President: In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following briefers to participate in this meeting: Her Excellency Ms. Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy; His Excellency Mr. Téte António, Permanent Observer of the African Union to the United Nations; and Mr. Peter Sutherland, Special Representative of the Secretary-General for International Migration.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Ms. Mogherini.

Ms. Mogherini: I thank the Lithuanian presidency for the invitation to participate in today's meeting, which we value greatly. We are here to share with the Security Council the urgent need to address the tragedies that we are facing in the Mediterranean.

The year 2015 looks even worse than the previous year, despite the fact that 3,300 migrants died in 2014 trying to enter the European Union by sea, which means that three out of four people who perished while crossing a border anywhere in the world died in the Mediterranean Sea. This tells us that our first priority is to save lives and prevent further loss of life at sea. We in the European Union believe that this is a responsibility that we all share, not only as Europeans but also globally.

This is an unprecedented situation, and an exceptional situation requires an exceptional and coordinated response. There is an urgent need to respond in an immediate and joint way — an emergency response to a structural phenomenon that is here to stay if we do not act effectively on its deep, real causes, namely, poverty, conflict, crisis and human rights violations throughout Africa and the Middle East and beyond, including what is being seen in the situations in Syria, Afghanistan and the Horn of Africa.

We are aware of the fact that there is no one magic solution, but that there must be a comprehensive response to a complex problem. It is not only a humanitarian emergency but also a security crisis, since migrant networks are linked to, and in some cases finance, terrorist activities; which contributes to instability in a region that is already unstable enough.

Addressing the situation is, first of all, a moral duty for us, but it is also in the shared interests of all the countries involved, the ones around the Mediterranean as well as countries of origin and transit. We are here to act immediately and to act together. We need an exceptional response. I would like to say the European Union is finally ready take responsibility — by saving lives, welcoming refugees, address the root causes of the phenomenon and dismantling criminal organizations.

We need to address these challenges with two basic principles: partnership and a comprehensive approach. First, we need close partnership with the countries in the region, regional organizations, starting with the African Union, and the wider international community, in particular the Security Council. Secondly, we need to act in a comprehensive way to address all related issues — the immediate humanitarian emergency, the security situation and the root causes in countries of origin and transit. I would like to stress that sometimes the countries of transit become countries of destination themselves. Tackling the root causes means tackling poverty, unequal access to resources — be they natural or financial — conflicts, crises, and violations of human rights. What we need today is shared solidarity, a long-term vision and immediate action, in full partnership at the regional and global levels. That is why it is so important for me to be here today.

The European Union will do its part. We have already discussed, last month here in New York, how to address this tragedy. As I stressed then, the European Union is increasing its work to address the root causes of the tragedies, and tackling trafficking and smuggling in the Mediterranean. Since then, we have worked on this with the African Union, including by holding our college-to-college meeting in Brussels a few weeks ago. In two days from now, on Wednesday, the European Commission will present a new European agenda on migration, offering solutions to both the immediate challenges and ways to better manage migration in all its aspects in the longer term, taking a new approach and taking on new responsibilities. We will propose to increase our settlement efforts and to enhance

legal opportunities to reach Europe. As European Commission President Juncker said in the European Parliament a few days ago, if we close the door to all, people will come in through the windows.

On the other side, the Security Council has also called for the full implementation of the Protocol Against the Smuggling of Migrants by Land, Sea and Air, and urged all Member States to address illicit migration flows and to contribute to dismantling smuggling networks in the region. We all know that we need to work on the whole set of issues related to these tragedies. Tackling only one aspect will not lead to a solution, and we need to work not only together — as Europeans first of all, we have understood this — but also with the regional and global communities.

On 23 April, we Europeans decided to step up our efforts to tackle the humanitarian tragedy in the Mediterranean. This includes efforts to disrupt trafficking and smuggling networks. The European Council decided to immediately strengthen the European Union presence at sea, reinforcing the existing Operations Triton and Poseidon. Their capacities are being strengthened by tripling the financial resources available to them and by the sending of additional maritime assets. On that occasion, European leaders also asked me to propose actions to disrupt the business model of human trafficking networks across the Mediterranean. The statement of the European Council of 23 April asks the High Representative to "undertake systematic efforts to identify, capture and destroy vessels before they are used by traffickers", in accordance with international law. To that end, my presence here in the Security Council today is so important for us.

In recent weeks, we have prepared for a possible naval operation in the framework of the European Union Common Security and Defence Policy. The mandate of that operation is currently being elaborated with the European Union member States in Brussels, and will be discussed at the meeting of the European Union Foreign Affairs Council exactly one week from now, on 18 May, with the possibility of the first decisions being taken on that opportunity.

We want to work with the United Nations, in particular the Security Council. We also want to work with the Office of the United Nations High Commissioner for Refugees. Yesterday, I again spoke with António Guterres. Our teams have already intensified their common work, as it is our firm intention to always respect international law, international humanitarian law and human rights. That is a core, fundamental value on which the European Union was built, and as I said, it is our firm intention to honour it. We are taking responsibility; we are working hard and fast, but we do not want to and we cannot work alone. We need partnership if we want to put an end to these tragedies. We need to think and act together. We need to share responsibilities. It is a European responsibility and a global responsibility.

For the European Union, multilateralism is key. Work in partnership is key. Respect for and the promotion of human rights and international law are key — on issues like the one before us, more than ever. Let me explicitly assure the Security Council that no refugee or migrants intercepted at sea will be sent back against their will. Their rights under the Geneva Conventions will be fully honoured.

Let me be very clear also on another critical point — Libya. This is not all about Libya; we know that very well. This can happen in other parts of the world, but we all also know very well that the vast majority of human trafficking and smuggling in recent months is happening in Libya — or rather, through Libya. As long as there is no unity Government that will exercise its legitimate authority over the entire territory of the country and its land and sea borders, the situation is likely to continue this way. That is why the European Union is not only supporting but supporting actively and with full determination the United Nations-led process of dialogue to reach an agreement on the formation of a Government of national unity.

The European Union is politically, logistically and financially supporting this process. I am myself in close, daily contact with Bernardino León in that respect. In Brussels, we hosted a meeting of mayors and municipal representatives from all over Libya recently, as well as a business dialogue. Ten days ago, I myself was in Tunis with Bernardino León to meet and talk to all Libyan parties taking part in the dialogue. Our message to all Libyans is clear. The European Union is ready to support them in any possible way to make sure that Libya becomes the prosperous, stable country it can and deserves to be, united against all challenges the country and its people are facing, and Europe will be at their side in the ways they will decide and determine.

In the meantime, Europeans and Libyans need to work together in partnership to fight trafficking and smuggling organizations. That is a Libyan interest

and responsibility; it is a Mediterranean interest and responsibility; it is a European interest and responsibility; it is an African interest and responsibility; and, I would say, it is a global interest and responsibility. We do not and we will not act against anyone except in partnership with all. We need to work together, and we are here to work together.

That is also why we are stepping up our cooperation with and support to key countries in Africa and the Arab world, such as Tunisia, Egypt, the Sudan, Mali and the Niger. We are also stepping up cooperation with Turkey in view of the situation in Syria and Iraq. We are increasing our work within existing dialogues and partnerships, as well as regional efforts, such as the Rabat and Khartoum processes. These are fundamental elements of our comprehensive approach to addressing all migration-related issues. We have already established mobility partnerships with Morocco, Tunisia and Jordan, and a dedicated dialogue with Lebanon. These are comprehensive partnerships that cover all migration-related aspects: legal migration and mobility, with visa facilitation; the fight against irregular migration; asylum and international protection; and migration and development. We are working with regional partners in building capacity for maritime border management and search-and-rescue operations.

It is also important that the European Union and the countries party to the Rabat and Khartoum processes, as well as the African Union, work in close partnership on this issue. We therefore very much welcome the prospects for convening a special summit in Malta in the autumn, as I have already discussed with Ms. Zuma recently. We are addressing together the issues of poverty, war, human rights, and unequal distribution of and access to resources, be they financial or other kinds. We need to do this in partnership with all the countries involved on an equal footing and in full and mutual respect.

The European Union is ready to do its part. That has not always been the case, I know. Now, I believe, we are ready to do it. I believe that we are ready to address challenges that affect us all and to do so not only from a security perspective, but first and foremost from a humanitarian perspective. The European Union can do a lot — it will do a lot — but we cannot do it alone. This has to be a common global effort. That is why we count on the Security Council's support in saving lives and dismantling criminal organizations that are exploiting peoples' desperation.

Let me end by quoting Pope Francis, who has said that "there are stories that make us cry and feel ashamed". I call on the Security Council today to help us all to stop crying and stop feeling ashamed.

The President: I thank Ms. Mogherini for her briefing.

I now give the floor to Mr. António.

Mr. António: Allow me, first of all, to congratulate you, Madam President, on your assumption of the presidency of the Security Council for this month. I would also like to thank you for convening this important meeting and for giving us an opportunity to share with Council members the perspectives of the African Union (AU) on the very important issues of migration to Europe and the smuggling of migrants in the Mediterranean Sea. I would also like to welcome the presence among us of Ms. Federica Mogherini, High Representative of the European Union for Foreign Affairs and Security Policy, and of Mr. Peter Sutherland, Special Representative of the Secretary-General for International Migration.

Today's meeting takes place against the backdrop of an ever-increasing humanitarian disaster in the Mediterranean sea, which is resulting in the the loss of the lives of thousands of migrants, many of them Africans trying to look for safer and better living conditions in Europe. These horrific incidents, which are a major issue of concern to the African Union, should serve as a wake-up call for the international community to reflect on the causes of this mass movement of people, as well as the appropriate actions that need to be taken to find a lasting solution to this persistent problem.

The massive increase in the number of people trying to cross the Mediterranean Sea cannot be divorced from the conflicts and acute humanitarian crises in some parts of Africa, in particular the situation in Libya — which is the main point of departure for the migrants. The conflict in that country has played an important role, and any attempt to address the issue would also need to address the conflict in Libya and in the broader Sahel region.

Many migrants are also fleeing conditions of abject poverty exacerbated by a number of factors, including climate change, which has had devastating consequences

on traditional livelihoods. Clearly, there are other push factors, including the lack of sufficient progress with regard to intra-Africa mobility, demographic dynamics, the digital revolution, widespread youth unemployment and rising inequality. Due to those dynamics, a flurry of highly organized transnational criminal and terrorist groups, including those involved in trafficking in persons and the smuggling of migrants, have also emerged. Those present a serious threat to African and international stability and security. For wherever one finds human traffickers and people smugglers, one is also sure to find drug and traffickers.

In that context, the principles of humanity, solidarity, burden-sharing and respect for international law, including human rights and humanitarian law, should be placed at the centre of the international response strategy. The need for enhanced coordination, cooperation and partnership among all stakeholders and actors — including the United Nations, the African Union and the European Union (EU), as well as the countries concerned, including those of origin, transit and destination — cannot be overemphasized.

Equally important is the need to step up our collective efforts to address the root causes of the problem and to enhance our commitment to prevent and resolve conflicts, realize the development agenda and move towards a more just international system. It is our conviction that ad hoc solutions that place the emphasis solely on one specific aspect — for example, focusing on trafficking without addressing either the reasons pushing people to flee their home countries or even the almost total breakdown of law and order — which have allowed human trafficking to flourish are unlikely to bring about the much-needed change that will prevent people who do not have livelihoods from looking for greener pastures elsewhere. We should therefore act to ensure conditions of security and dignity at home, because desperate people will definitely continue to flee difficult situations, in particular those of armed conflict.

It is important to note that migration by refugees from war is protected by international law. However, some of the migrants we are confronted by are not refugees, and neither are they fleeing out of choice, but as a result of hardships that are an assault and human dignity that should offend our moral sensibility. As global warming and water scarcity force more and more people to flee, it is clear that the current situation reveals gaps in our existing international instruments. It is important, therefore, that we make use of the opportunities provided, especially in the discussions on the post-2015 development agenda, to begin to address this situation.

The most vulnerable categories, including internally displaced persons and refugees, are often subject to exploitation and human trafficking. They deserve our particular attention and protection. Therefore, in addressing this problem, the international community will need to act on the basis of a comprehensive and balanced approach that takes into account realities and trends as well as linkages between migration and other key economic, social, political, humanitarian and development issues.

For its part, the African Union is fully aware of its responsibility and is ready to assume its share. In addition to the development of an African policy framework on immigration, the AU is also committed to fighting exploitation and human trafficking in collaboration with regional economic communities, international partners and civil society organizations. At the seventh African Union Commission-European Union Commission College to College Meeting, which took place in Brussels on 22 April, the two parties reviewed a wide range of issues, including questions related to legal, irregular and forced migration. In particular, they agreed to intensify the implementation of the EU-Africa declaration that was endorsed by Heads of State and Government at the EU Africa Summit in April 2014. It is worth noting that this political declaration stressed, among other things, the parties' shared commitment to fight irregular migration and to address all its relevant aspects, including prevention, strengthened immigration and border management, the smuggling of migrants, return and readmission, as well as addressing the root causes of irregular migration and enhancing cooperation to address trafficking in human beings and offering international protection.

Another issue of concern to Africa is the political impact of migration on host communities. The increase in xenophobia in Africa and beyond, especially in the context of the economic crises in many countries since 2008, is a challenge we must face. As we speak about immigration to Europe, we should not lose sight of the extent of immigration between developing countries, which is also called South-South migration, and the issues around it. There are more Africans moving within their own region than those who travel long distances to go to other parts of the world. Therefore, this trend

must also be taken into account as we address the issues at hand. The efforts of the African Union aimed at advancing regional integration, including in terms of the promotion of free movement and labour migration, should therefore be acknowledged and supported.

The President: I thank Mr. António for his briefing.

I now give the floor to Mr. Sutherland.

Mr. Sutherland: I thank you, Madam President, for the invitation to brief the Security Council.

A month ago, Deputy Secretary-General Eliasson mobilized an informal group — including High Commissioner Antonio Guterres, High Commissioner Zeid, Director General of the International Organization for Migration Bill Swing and myself — to deal with the issue of the Mediterranean crisis. We have been meeting regularly since, and have issued a number of joint statements that reflect the position of the United Nations on what has been happening. In these brief remarks, I will set out the priorities, as we see them, for the collective response to the crisis. Those are, of course, first: saving lives and safeguarding the human rights of refugees and, more generally, of migrants; secondly, law enforcement actions that are effective against traffickers and smugglers; thirdly, radically increased safe avenues of refugee resettlement, family reunion and labour migration; then, greater solidarity with countries closer to conflicts, and an intensified effort to end conflicts and stem the development failures that have displaced more people today than at any point in history.

In addressing each of those challenges, the United Nations has a crucial role to play: the Office of the United Nations High Commissioner for Refugees as concerns refugees and the International Organization for Migration (IOM) as concerns economic migrants. That demands intensive dialogue among all of us — the United Nations, regional organizations and Governments, especially in source, transit and destination countries. As the High Representative of the European Union (EU) has emphasized, the situation in the Mediterranean represents, first and foremost, a crisis for the hundreds of thousands of refugees and migrants who have been placed in harm's way. In the first 130 days of 2015, at least 1,800 people have drowned in the Mediterranean. That total represents a 20-fold increase over the same period last year. Should that pace continue, between 10,000 and 20,000 migrants could perish by this autumn. That is why it is a compelling, collective responsibility to act immediately. Most of those crossing the Meditteranean pay smugglers $5,000, $10,000 and perhaps, in some cases, even $15,000 for their passage. That represents more than the life's savings of any one individual from many of the countries of origin. About half of those who reach Europe, on the current evidence, qualify for international protection as refugees.

An effective strategy to address the crisis, including in the context of a Security Council draft resolution, therefore begins with the immediate need to save lives. If we do not frame our response in that way, it would represent a moral failure that would undermine international law and security.

Until 900 people died on a single weekend in April, the international community was largely absent from the Mediterranean. It was left primarily to the Italian navy, which exerted considerable effort and activity, to save lives, as well as to ill-equipped merchant vessels and non-governmental organizations such as Migrant Offshore Aid Station. Since then, the situation has improved. I know from a visit to the European Commission last week, and from the President of the Commission, that an additional paper is about to be adopted. Should it be adopted, would, in my view, improve matters further and make a significant advance in the European Union's position. The EU has pledged to triple its resources in the Mediterranean. It must commit to search-and-rescue as its first priority with Operation Triton. But this is still limited to operating within 35 kilometres of Italy's shore. It has just six vessels in contrast to the 32 of Mare Nostrum, the Italian Government and Navy programme. The Italian and Hellenic navies and coast guards, now joined by vessels from elsewhere, continue to stem the loss of life. As a result, fewer refugees and migrants have died in recent days.

In parallel, Europe and Africa have to develop a common strategy to deal with smugglers and traffickers, which, of course, will not be easy. That demands better governance and coordinated law enforcement, and there are longer-term issues at stake, quite obviously, such as development. But others, particularly in Africa and the Middle East as well as the EU, have to take their responsibilities seriously in that respect. Organized criminal gangs are active from the greater Middle East, sub-Saharan Africa, through North Africa, and into Europe. No single actor nor any single tactic can ensure that they are arrested,

prosecuted, and imprisoned. The stakes for them are high; moving people illegally across borders is today more lucrative than the sale of illicit arms or drugs, and it will take a coordinated, comprehensive effort built on mutual trust and compliance with the rule of law to counter that threat. Some draw facile comparisons to the successful anti-piracy operations off the Horn of Africa, but the calculus in the Mediterranean is far more complex, with innocent refugees — including many children — in the line of fire between smugglers and any potential military operations. All enforcement measures therefore have to adhere to international human rights, humanitarian, maritime and refugee law, and the law of nations.

Even if there is success in thwarting the smugglers, we will have created a new and equally pernicious problem: we will have trapped asylum seekers, unless we are careful, in some countries without access to protection, education, health care, or livelihoods. As we ramp up anti-smuggling and counter-trafficking efforts, we have to increase our capacity to provide protection for those in need. The entire international community must accept a fair share of the refugee burden. Small countries like Lebanon and Jordan are hosting together over 1.8 million people.

Last year, the EU gave international protection to about 300,000 people. What should we do? Refugee resettlement and other forms of humanitarian admission are the safest, most organized means we have of providing protection. They are underused tools. We need more resettlement countries. We need larger resettlement quotas. Only half of the 28 EU member States are resettlement countries. We need to provide other options to asylum seekers: humanitarian visas, temporary protective status and short-term visas. For the doctors, professors and engineers among them — as well as for the nurses, construction workers and others with skills our countries need — we could offer labour visas, seasonal visas and circular migration visas. Family reunification is another very important right to be actively facilitated. We have barely deployed those life-saving tools.

We have to establish safe ways for asylum seekers to pursue those legal avenues. Meanwhile, we need to offer far more aid to countries close to conflict zones in order to ensure the safety of refugees and migrants, educate their children and offer real hope for the future. About half of the refugees, children, are currently not being educated at all. It is also important to highlight the responsibility of those countries where inequality, dysfunctional governance and poverty drive people to migrate. They need to be accountable to their own citizens. They need to create conditions where everyone can benefit from economic and social advancement.

In order to maintain the integrity of the international protection system, it is essential that any comprehensive plan include return agreements for people who are not in need of international protection.

I understand that this week the European Commission will approve a European agenda on migration. From what I have been told, it will promote many of these ideas pertaining to safer access to more channels of legal migration. My colleagues and I applaud such smart, progressive measures, and expect that the EU will adopt them with due speed and at a scale that they deserve.

Even if we achieve all of this, however, we will not have addressed the larger problems we face. We speak of root causes, but what we really need are root solutions. It is easy enough to turn away from troubles that seem intractable — conflicts that go on for years on end, authoritarian Governments that abuse their citizens, demographic challenges that seem to grow exponentially — but every problem, broken down, can at least be ameliorated. At the most basic level, we need to engage in a systemic, intense dialogue among countries of origin, transit and destination. We must sit together and persist until we find a comprehensive answer. The United Nations — the Secretary-General in particular and the Deputy Secretary-General are constantly emphasizing this publicly and personally to me — stands ready to help foster, inform and guide such a dialogue, and it should do so as it represents in particular the interests of the most vulnerable participants in this tragedy.

We recognize that, by expanding the legal challenges to migrate, the real demands on our labour markets will increase. We have to be prepared to debate this in a constructive, rather than in a negative, way.

The United Nations system, IOM and civil society organizations are contributing in many ways to mitigating the crisis, and stand ready to do much more.

The President: I thank Mr. Sutherland for his briefing.

The meeting rose at 10.40 a.m.

United Nations S/PV.7440

Security Council

Seventieth year

Provisional

7440th meeting
Tuesday, 12 May 2015, 10 a.m.
New York

President:	Ms. Murmokaitė	(Lithuania)
Members:	Angola	Mr. Lucas
	Chad	Mr. Mangaral
	Chile	Mr. Barros Melet
	China	Mr. Wang Min
	France	Mr. Lamek
	Jordan	Mr. Omaish
	Malaysia	Mr. Ibrahim
	New Zealand	Mrs. Schwalger
	Nigeria	Mrs. Ogwu
	Russian Federation	Mr. Churkin
	Spain	Mr. González de Linares Palou
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Mr. Pressman
	Venezuela (Bolivarian Republic of)	Mr. Henry Alfredo Suárez Moreno

Agenda

The situation in Bosnia and Herzegovina

Letter dated 29 April 2015 from the Secretary-General addressed to the President of the Security Council (S/2015/300)

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15-13840 (E)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 29 April 2015 from the Secretary-General addressed to the President of the Security Council (S/2015/300)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Bosnia and Herzegovina, Croatia and Serbia to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2015/300, which contains the text of a letter dated 29 April 2015 from the Secretary-General addressed to the President of the Security Council, transmitting the forty-seventh report of the High Representative for Bosnia and Herzegovina.

I now give the floor to Mr. Inzko.

Mr. Inzko: In six months' time, when I next appear before the Security Council, Bosnia and Herzegovina will be marking the twentieth anniversary of the Dayton Peace Accords. At the beginning of July, we will also be marking the twentieth anniversary of the Srebrenica genocide.

Much has been achieved since that all-important day in November 1995 when Richard Holbrooke finally succeeded in brokering an agreement to end Europe's most tragic conflict since the end of the Second World War. Bosnia and Herzegovina has come a long way since then, but it is also true that what happens during the next six months will play a hugely significant role in determining how the twentieth anniversary of Dayton will be viewed by the people of Bosnia and Herzegovina.

Peace is, of course, a priceless commodity. It should never be taken for granted. But it is a starting point, not the end state. It is entirely right that after 20 years the people of Bosnia and Herzegovina — especially the young — expect so much more from their country and their politicians. They are suffering from the highest youth unemployment rate in Europe and many of them are leaving the country. They are right to expect more because Bosnia and Herzegovina truly does have the potential to offer its citizens prosperity and a normal way of life. I take this opportunity to encourage members of the Security Council to visit that beautiful land to see for themselves its spectacular landscapes and its rich cultural diversity.

What needs to happen in the next six months so that we can mark the twentieth anniversary with a sense of renewed optimism about the future and, even more importantly, so that we can re-energize the people of Bosnia and Herzegovina? The answer is very simple. We need to see the newly elected authorities in Bosnia and Herzegovina — and the country in general — coming together to deliver the steps that are required to take advantage of the new European Union (EU) initiative for Bosnia and Herzegovina.

The good news is that we now have Governments in place at the State and entity levels that are showing signs that they are ready to start implementing the written commitment that was adopted in March and has opened the way for the Stabilization and Association Agreement with the EU to enter into force. However, progress will require concrete results to be delivered. Some of the reforms will be very difficult, but they will deliver new opportunities for the country and its people. Specifically, we need to see concrete results that will create new jobs, improve the functioning and functionality of institutions, and entrench the rule of law, especially when it comes to the fight against crime and corruption.

I believe that a great deal can be achieved in 2015 if there is a renewed commitment within the country and among its political leaders to pulling together and to working together — to working as one. This is what we need to see and we need to see it quickly so that the new Governments can build up real momentum for reform. Bosnia and Herzegovina has been given a fresh chance and it must be taken. I would therefore like to take

this opportunity to sincerely thank Foreign Secretary Philip Hammond and Foreign Minister Frank-Walter Steinmeier for launching the initiative that has given Bosnia and Herzegovina this fresh chance.

I also want to thank High Representative Mogherini and Commissioner Hahn for taking the initiative forward. High Representative Mogherini has already been to Bosnia and Herzegovina three times. Commissioner Hahn visited Bosnia and Herzegovina just last week and again showed his commitment to that country.

A new Special Representative of the European Union, Ambassador Lars-Gunnar Wigemark, has recently joined us in Sarajevo, and I would like to take this opportunity to welcome him warmly and to once again express my strong commitment to working hand-in-glove with him to assist those citizens and politicians who want to move the country forward.

The initiative offers Bosnia and Herzegovina the chance to end years of stagnation and to get the country back on track towards the brighter future we all want for its people. However, we need to recognize that there are no guaranteed outcomes. Is there an alternative? Of course there is. That alternative is to continue doing what we have seen over and over again. The alternative for the country's politicians is to continue practicing the politics of the past that have been driving the country ever deeper into crisis at the expense of all its citizens, especially the young.

I must be frank — there are some politicians who may be tempted to follow this negative and dangerous path. As I have made clear in my report (S/2015/300, annex), there have also been negative developments over the past six months that include direct challenges to the Peace Agreement. Of particular concern is the declaration adopted by the National Assembly of the Republika Srpska on 17 April, which directly challenges the authority of the Bosnia and Herzegovina Constitutional Court. A second example is the declaration of the ruling party in the Republika Srpska of 25 April. While it is only a party document that has no official value, I am nevertheless concerned by its threat to hold an independence referendum in Republika Srpska in 2018. The problem has a name — it is "referendum" — and it has a date: 2018. As I have made clear repeatedly, the Peace Agreement does not grant the entities the right to secede, and any attempt to change the Peace Agreement requires the agreement of all the parties.

A week after I submitted my report, Bosnia and Herzegovina was rocked by a shocking incident, when a lone attacker killed one police officer and injured two others at a police station. I take this opportunity to again offer my condolences to the family of the police officer who lost his life in the line of duty. I also wish a speedy recovery to the two injured police officers. The response of the authorities was swift, and it will be important for us to see ever-closer cooperation between authorities at all levels, inside the country and in the region, in tackling a wide range of law enforcement challenges facing the country, including the ongoing fight against terrorism, which as we know is a global change.

To conclude my remarks today, an opportunity is on the table from the EU that offers the people of Bosnia and Herzegovina a chance to ensure a prosperous and dignified life for themselves and their children. This is the time for the country's politicians to decisively look to the future in the interests of the people of Bosnia and Herzegovina, especially the young. This is the moment when the country needs to finally say farewell to the politics of the past and to decisively commit to a new way of doing politics that puts the interests of citizens firmly in first place. This is truly the time for Bosnia and Herzegovina to come together and to work as one.

I very much hope that the visit of the Pope to Sarajevo in June will help to foster a sense of unity in the country. I cannot stress strongly enough that this opportunity must be taken. If we see hard work and results in the weeks and months ahead, then we will be able to look forward with real optimism when we come together to mark the twentieth anniversary of the Peace Agreement in November. There are politicians and people in Bosnia and Herzegovina who want to work together in good faith to take the country forward. They must have our full and proactive support in the months ahead.

The drawing of borders in Bosnia and Herzegovina is behind us. Division and secession are failed strategies that were defeated 20 years ago. Their place is in the history books; God forbid that anyone should seek to reactivate these dangerous strategies. If they do, they will need to be dealt with firmly and decisively. In this respect, I will continue to take my responsibilities under the Peace Agreement with the utmost seriousness.

As more and more people in Bosnia and Herzegovina, the region and indeed beyond now fully understand, the future of that part of Europe is

reintegration from within and integration with the wider continent. This is the era not of division, but of renewed bridge-building. The expanding force of forward-looking people in Bosnia and Herzegovina is growing stronger by the day, and what a positive force it is as it crosses ethnic and religious lines and re-energizes the people of Bosnia and Herzegovina to work together to build a better tomorrow. As an aside, I should like to inform the Council that two Muslims are currently building and renovating a Catholic Church in Bosnia and Herzegovina. Such interreligious dialogue for a better tomorrow is also a fact that we should not forget.

We, the international community, are dutybound to recognize the importance of this moment. We must do all we can to help the forces of positive change in the country to reach their surge capacity. I must add, however, that the international community's support for the Office of the High Representative is in fact waning, and it is becoming increasingly difficult for me to fulfil my mandate. Now is not the time for us to lose focus or resolve, and I ask for the Council's full support as we help Bosnia and Herzegovina to move along the path towards the EU.

Let us do all we can in the next six months to help these peoples to seize the opportunity the country has been given by the EU so that 2015 is remembered as the year Bosnia and Herzegovina turned decisively to the future. I hope that this is what we will achieve so that we can mark the twentieth anniversary of the Peace Agreement with a sense of genuine optimism about the future. This is what I hope to report to the Council when I return in November, six months from now.

The President: I thank Mr. Inzko for his briefing.

I now give the floor to the members of the Security Council.

Mr. Pressman (United States of America): I thank High Representative Inzko for his work and his briefing today. We reiterate our support for him and his Office, as well as for the Council's mandate and the European Union (EU) military mission in Bosnia and Herzegovina, and we commend his continued efforts in Bosnia and Herzegovina.

On behalf of my Government, I want to congratulate the people of Bosnia and Herzegovina on some of the very positive progress that has been made since the Council met in November (see S/PV.7308), most notably the formation of a new Government following general elections in October 2014. Although the process has not been without some rough patches, this is a major achievement that must be acknowledged. With elections completed and Governments formed, we encourage elected officials to take seriously the promises they have made to pursue an ambitious and necessary set of political and economic reforms, focusing on investment and economic growth as a priority. In that regard, statements by the respective Prime Ministers have been encouraging, and we are now looking for actions to back those statements, particularly in the implementation of badly needed socioeconomic reform.

We congratulate the Bosnian Government's formal decision to commit to the EU integration process, and we commit to supporting Bosnia and Herzegovina's express goal of Euro-Atlantic integration. The country's 14 political leaders, its Presidency and its Parliamentary Assembly have endorsed a commitment to pursuing reforms necessary for Bosnia and Herzegovina to advance on the EU track, and the United States welcomes the EU Foreign Affair Council's decision of 21 April concluding the EU Stabilization and Association Agreement with Bosnia and Herzegovina. When it comes into force on 1 June, Bosnia and Herzegovina will have an opportunity to make real progress on its integration into the EU.

On the specific issue of defence property registration, one of the conditions for ending international supervision of Bosnia and Herzegovina, we were pleased to see that authorities have made some progress through the registration of three properties in the Federation of Bosnia and Herzegovina. We will continue to work with Bosnia and Herzegovina's leaders to ensure the registration of the remaining properties so that the country will be able to activate its NATO membership action plan.

We also welcome Bosnia and Herzegovina's efforts to address the issue of foreign fighters heading into Syria. Bosnia and Herzegovina is an integral member of the counter-Islamic State in Iraq and the Levant coalition and has provided needed ammunition to the Iraq security forces. We are also grateful for the country's active participation in our efforts to counter violent extremism.

Bosnia and Herzegovina's armed forces have benefited greatly from the presence of the European Union military mission in Bosnia and Herzegovina (EUFOR). As we reiterated to the Council last November, the United States fully supports the efforts

of EUFOR to mentor the country's armed forces to ensure that Bosnia and Herzegovina has the tools needed to respond to crises. We welcome Bosnia and Herzegovina's active contribution to United Nations peacekeeping operations.

The United States also shares the concerns of High Representative Inzko about a number of issues he referred to today, which he wrote about more fully in his report (S/2015/300, annex). One of our greatest concerns has been the continuing actions by Republika Srpska President Dodik that undermine Bosnia and Herzegovina's sovereignty and territorial integrity. In March, Dodik's Alliance of Independent Social Democrats party decided to boycott the State-level Parliament. And he recently made statements calling into question the authority of Bosnia and Herzegovina's federal Government. He promised to put forward a resolution for Republika Srpska independence unless the entity was able to strengthen its autonomy by the end of 2017. That is an unfortunate about-face for a leader who, less than two months ago, committed to pursue reforms that would bring the entire country of Bosnia and Herzegovina closer to Europe. Those reforms focus on improving the country's socioeconomic and political conditions, with the goal of attracting investment and creating jobs. The reforms also address the needs on the ground and, once implemented, will provide tangible benefits to all the peoples of Bosnia and Herzegovina. Nationalistic rhetoric not only runs counter to the commitment that leaders have made, it also threatens the integrity of the country and the potential for much-needed economic assistance. The Dayton Peace Agreement guarantees the existence of both the Federation of Bosnia and Herzegovina and the Republika Srpska. We strongly condemn any action that seeks to undermine the territorial integrity of the Bosnian State.

Moreover, we are also concerned about democratic backsliding in the Republika Srpska, whose law on public order is a big and unfortunate step backward. The law seeks to control digital media and social networks by determining that the Internet is a "public space" and leaves individuals subject to prosecution if the Government determines that public order has been threatened as a result of their online activities. Efforts by the Republika Srpska to control online activities through the threat of prosecution is a dangerous and worrisome attempt to curb the freedom of speech. That kind of censorship stunts democratic growth and runs contrary to the values required for European integration.

The Republika Srpska's lack of compliance with its obligations to provide the High Representative with timely access to officials, institutions and documents is also of concern. In that regard, we reiterate call for all authorities in Bosnia and Herzegovina to cooperate with the High Representative's request for information and documents.

As the twentieth anniversary of Srebrenica approaches, on 11 July, we are reminded that, while the war in Bosnia and Herzegovina is over, much remains to be done. All of us have a responsibility to remember the horrors and atrocities, but we have an obligation to do more than remember. We have an obligation to vigorously and steadfastly oppose policies of hate and discrimination. We continue to call for all of Bosnia and Herzegovina's citizens and its leaders to work together to pursue a common vision for a secure and prosperous future — or, in Mr. Inzko's words, a better tomorrow.

Mr. Barros Melet (Chile) (*spoke in Spanish*): We would like to thank the High Representative for Bosnia and Herzegovina, Mr. Valentin Inzko, for submitting his report (S/2015/300, annex).

Chile supports the implementation of the 1995 Dayton Peace Accords, as well as safeguarding the sovereignty, independence and territorial integrity of Bosnia and Herzegovina. We believe that effectively implementing the Accords, along with respect for the rule of law, is essential to a lasting peace in Bosnia and Herzegovina. In that regard, we welcome the new Government formed on 31 March. We urge all political leaders to take advantage of that opportunity to move towards genuine integration and national reconciliation.

Chile regrets the lack of progress on implementing the Dayton Accords, which illustrates the persistence of disagreement among political parties and the difficulty in forming the new Government in the various cantons. It is necessary that the political leaders of the different communities in the country do more to advance the strengthening of democratic institutions, while expanding institutional reforms in an inclusive manner.

We also urge them to refrain from negative rhetoric that undermines the cohesion among the various ethnic communities in the country, thereby hindering national reconciliation. For instance, calls encouraging options that could create the potential for the secession of

Republika Srpska present a critical situation. We call for cooperation with the High Representative with regard to events that have the potential to affect the sovereignty and territorial integrity of Bosnia and Herzegovina.

We support the efforts of Bosnia and Herzegovina to overcome its past. We also emphasize the importance of the return and reintegration of refugees and internally displaced persons, which will contribute to mending the broken social fabric and which is an essential step towards national reconciliation. In that context, cooperation with the International Criminal Tribunal for the Former Yugoslavia remains a priority challenge so that those responsible for genocide, ethnic cleansing, war crimes and crimes against humanity do not go unpunished. The effectiveness of institutions such as the Tribunal contributes to the development of jurisprudence and to safeguarding universally shared ethical principles of justice and reparation.

We reiterate our strong support for a stable Bosnia and Herzegovina with functioning institutions in the service of its people, in peace and prosperity. Chile participated in the United Nations Mission in Bosnia and Herzegovina with police personnel. Our participation continues today in Operation Althea of the European Union military mission in Bosnia and Herzegovina. This year marks 12 years of uninterrupted Chilean military presence in the latter.

Likewise, we call on the international community to continue to honour its commitment to support the aspirations of the people of Bosnia and Herzegovina, as well as to provide the necessary resources to fulfil the mandate provided for under the Dayton Accords.

We conclude by reiterating our appreciation for the work of the High Representative as part of his efforts to strengthen the rule of law, monitor compliance with the rulings of the International Tribunal for the Former Yugoslavia and facilitate reforms aimed at ensuring conditions for the functioning of institutions, social stability and prosperity in Bosnia and Herzegovina. We emphasize that his Office should continue to receive political support to carry out its important functions.

Mr. Churkin (Russian Federation) (*spoke in Russian*): Welcome Mr. Inzko, High Representative for Bosnia and Herzegovina. His regular briefing has confirmed that the situation in Bosnia and Herzegovina remains stable, which we view as the basis for the sustainable functioning of the country's institutions in strict compliance with the equality of the three constituent peoples, in accordance with the Dayton Peace Agreement.

The establishment, on 31 March, of the new State and entity ruling bodies, following the elections in October, which took place democratically, has confirmed the ability of local actors to resolve their problems without the support of an international protectorate. It is important to continue the process of transferring full responsibility for the situation to Bosnians themselves.

The abolition of the Office of the High Representative is long overdue. In that context, the primary task is to conclude the implementation of the agreement of the "5+2" programme. The problems that have not been settled within that framework must be resolved by the Bosnians themselves through an inclusive dialogue and on the basis of agreement among all three constituent peoples. The exclusive task of the High Representative is to move the local parties towards such dialogue and to seek points of understanding, but instead of reporting on what has been been done towards the timely drawdown of the Office of the High Representative, the current report simply reiterates what happened in the country during the reporting period.

It does not propose any constructive solutions. It looks for people to blame. There is no end to the illegal and unjustified accusations against Bosnian Serbs, who are allegedly undermining the Dayton constitutional foundations, sovereignty and integrity of Bosnia and Herzegovina. Such a one-sided philosophical approach will only distort the real state of affairs and aggravate the situation in Bosnia and Herzegovina. It ignores in practice the claims of other sides. Bosniaks, for example, speak in favour of unitarism, and Croats demand the creation of a third entity, which can be interpreted as a violation of the spirit of the Dayton Agreement.

The High Representative gives the impression that his role is to find artificial reasons to continue the existence of an Office that has become outdated. The High Representative should shake the habit of shedding factological light on what has taken place in Bosnia and Herzegovina and focus on practical steps to wind down this foreign protectorate, which is an insult to the sovereignty of the country. Such an understanding of the role of the international community is in keeping with the spirit of the twentieth anniversary of the Dayton Peace Agreement. To achieve an objective picture of developments in the country, we recommend that the Secretary-General and the Security Council

carefully familiarize themselves with the regular report of the Republika Srpska, which draws attention, inter alia, to attempts to gradually revise the Dayton Agreement towards greater centralization in Bosnia and Herzegovina, and to undermine the constitutional autonomy of the entities and the functionality of the State as a whole.

Recognizing the importance of extending the European Union-led peacekeeping force Althea in order to maintain the stability of Bosnia and Herzegovina in the context of implementing the Dayton Peace Agreement, we oppose the use of the international presence as an instrument for accelerated integration of the country into the European Union (EU) and the North Atlantic Treaty Organization (NATO). In that regard, we are concerned by the fact that the High Representative is arbitrarily interpreting his mandate with respect to fulfilling civil aspects of the Dayton Agreement, and is pushing for integration into NATO and the EU. It is unacceptable, first, for the High Representative to set himself new tasks that go beyond the mandate of the Peace Agreement, the decisions of the implementation conference and relevant Security Council resolutions. Secondly, such far-reaching decisions cannot be forced from outside; they must be the result of the sovereign, voluntary decision of the three constituent peoples.

In conclusion, I wish to draw attention to trends that should raise real concerns, in the context not only of Bosnia and Herzegovina, but of the region as a whole. I refer to a growth of extremism among the Bosniak population in Bosnia and Herzegovina and other Muslim communities in the Western Balkans. That threat must be seen and assessed appropriately. The terrorist act in the city of Dvornik on 27 April, when an armed Islamist attacked a police station, is confirmation of that trend. Special attention should be devoted to the participation of Bosniaks in the conflicts in the Middle East on the side of international terrorist organizations. Hundreds of citizens have joined the Islamic State in Iraq and the Levant (ISIL) and Jahbat Al-Nusra through Bosnia and Herzegovina, which serves as a channel for fighrers from Western Europe. We welcome the efforts of Sarajevo to increase the accountability of foreign fighters and their facilitators for their actions abroad.

Last year, amendments were made to the criminal code to limit the recruitment of Bosniaks into ISIL and other illegal formations abroad. Bosnian law enforcement agencies are carrying out special operations to identify such networks and arrest local mujahids. At the same time, as practice has shown, such actions and measures remain insufficient and do not provide the necessary impact to reduce the influence of Islamists. Of course, in the fragile post-conflict situation in the Balkans, that phenonemon is especially dangerous. That has been confirmed by the recent outburst of inter-ethnic and interreligious confrontation in multinational Macedonia and neighbouring regions.

Mr. Ibrahim (Malaysia): I would like to thank High Representative Valentin Inzko for his briefing and for his comprehensive report to the Council (S/2015/300, annex). Since this is Malaysia's first Security Council meeting with High Representative Inzko, I wish to express Malaysia's strong support for his work and commitment to carrying out the implementation of the Dayton Peace Accords.

Malaysia welcomes the formation of the Government in Bosnia and Herzegovina in March 2015, following the seventh general elections in October last year. The new Government's expressed commitment to prioritizing a reform agenda, especially in the economic sector, is a step in the right direction. We urge the country's leaders and political parties to close ranks and focus on accelerating efforts based on collective responsibility towards reforming the country's economy. The lack of progress in socioeconomic reforms of recent years, as highlighted in previous reports of the High Representative, must not be allowed to fester. Unemployment, particularly among young people, and the increasing flow of brain-drain in the country must be addressed as a matter of urgency. We saw how damaging that can be early last year, when the population took to the streets to engage in massive demonstrations and riots, demanding a better future and quality of life for themselves and their children.

Economic development can take place only when there is political stability. In that regard, Malaysia shares the concerns of the High Representative on the self-serving and divisive politics of certain quarters in Bosnia and Herzegovina. That is a dangerous game to be played with the future of the country, especially in view of its traumatic history. We therefore urge all parties to enhance efforts towards national reconciliation with a view to ensuring political stability in the country.

We take note that this year marks the twentieth anniversary of the Dayton Peace Accords. We hope that will present a good opportunity for all parties to renew their commitment to the Dayton Agreement.

Efforts to undermine or revise the Dayton Peace Accords must cease. We also take note of the priority accorded by the leaders of Bosnia and Herzegovina to European Union (EU) integration as a cornerstone of its foreign policy. We welcome the progress made by Bosnia and Herzegovina towards this aim with the recent conclusion of the Stabilization and Association Agreement with the EU last month. We believe that will provide further impetus for the country to accelerate its reform in the areas of the economy, the rule of law and good governance towards a future of peace, stability and prosperity within the EU, as desired by the people.

Malaysia reaffirms its commitment to the independence, sovereignty, national unity and territorial integrity of Bosnia and Herzegovina. We have long supported the country in its reconstruction after the war, and will continue to do so. Our investment in Bosnia and Herzegovina in the areas of real estate, construction, energy, education and capacity-building are aimed at strengthening the socioeconomic foundation of the country towards growth and prosperity. In our effort to bring the ethnic groups together towards economic and social integration, Malaysia has sought to involve the three main ethnicities in the country in our various investment projects. Based on our own multiracial and multireligious experience, we believe that is a win-win formula for all to ensure a united, stable and prosperous future for Bosnia and Herzegovina.

In conclusion, Malaysia stands ready to play a constructive role in the Council on the issue of Bosnia and Herzegovina. We reiterate our unwavering commitment to contributing to the country's nation-building, inclusive democracy, reconciliation and economic progress.

Mr. Henry Alfredo Suárez Moreno (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We thank the High Representative for Bosnia and Herzegovina, Mr. Valentin Inzko, for his briefing.

The Bolivarian Republic of Venezuela reiterates that full compliance with international law — as expressed in the principles of non-intervention; respect for the sovereignty, territorial integrity, unity and political independence of States; and the peaceful settlement of disputes — is fundamental to maintaining international peace and security. While advocating a peaceful solution of the issue of Bosnia and Herzegovina, we support the implementation of the General Framework Agreement for Peace because we believe that it is the outcome of a political consensus among the parties involved. We therefore encourage the High Representative to work impartially, transparently and constructively so as to ensure a balanced and prudent approach in which the opinions and views of the stakeholders are reflected.

We believe that the international community must continue to support Bosnia and Herzegovina in its implementation of the Peace Agreement, and to that end we call for a guarantee of the sovereignty and territorial integrity of Bosnia and Herzegovina. The primary responsibility for the full implementation of the Dayton Peace Agreement lies with the Government and the people of that country, an obligation that must be exercised in full sovereignty, with the support of the international community.

We welcome the fact that the political situation in Bosnia and Herzegovina remained stable until 21 April. We note with regret the terrorist attack on a police station in the city of Zvornik in Republika Srpska in late April, which has given rise to fresh political and social tensions.

The European Union military mission in Bosnia and Herzegovina has carried out its work under the mandate assigned to it, in cooperation with the national authorities, so as to provide a safe environment for citizens of all ethnic groups in that country.

We express our solidarity with Bosnia and Herzegovina and our support for its firm commitment to peace and stability for the benefit of its citizens. To that end, we welcome the policies adopted by the Government of Bosnia and Herzegovina to prevent the recruitment of its nationals by the Islamic State in Iraq and the Levant and the Al-Nusra Front to participate as foreign terrorist fighters in the armed conflicts in Syria and Iraq.

On the political front, we welcome the formation of the new Government following the elections of October 2014, which is an encouraging sign for the new leaders, who must now continue to work to tackle the country's main challenges. We call on all parties to redouble their efforts with renewed political resolve and courage so as to promote trust and joint work in the framework of international law, which are necessary components of a political, just and lasting solution in the interests of the parties and the entire region.

Mrs. Ogwu (Nigeria): I want to thank High Representative for Bosnia and Herzegovina Inzko for his briefing and for his forty-seventh report on the implementation of the Peace Agreement on Bosnia and

Herzegovina (S/2015/300, annex). We have carefully studied the report and taken due note of the main issues contained therein.

Nigeria is pleased to see that, following the elections of October 2014 and the certification of the election results in November 2014, Governments and legislatures have been formed at the State, entity and cantonal levels. We encourage the political leaders in cantons where Governments are yet to be formed to work together to resolve their differences over the distribution of ministerial positions. We are concerned about reports of continued challenges to the General Framework Agreement for Peace. The divisive rhetoric and actions of political leaders that threaten the sovereignty and territorial integrity of the State are contrary to the spirit of the Dayton Peace Accords. Public figures must refrain from making inflammatory statements promoting secession, which are indeed capable of undermining the stability of the country and the entire region.

It must be understood by all concerned that the Constitution of Bosnia and Herzegovina does not envisage secession by any of the entities. We believe that the interests of the entities can and should be accommodated within the framework of a united Bosnia and Herzegovina. The rejection of the authority of the Constitutional Court at the entity level is also a matter of grave concern. It is a direct challenge to the rule of law and the independence of the judiciary, which are two critical elements of democratic governance. We urge all entities to respect the decisions of the Court as final and binding, in accordance with their obligations under a democratic system of Government. Boycotts and walkouts are impeding the work of the House of Representatives and the House of Peoples. While we recognize the rights of parliamentarians to protest, we urge them to do so in a manner that allows the legislature to continue to function unimpeded.

Despite these impediments, the two legislative houses have appointed their leaders and elected their working bodies. That is a welcome development and a strong step towards development. We also take note of the fact that joint parliamentary working committees have been appointed. We call on all concerned to work diligently to resolve their disputes over the membership of the joint committee for oversight of the Intelligence and Security Agency of Bosnia and Herzegovina.

We note that the Parliament has adopted an amendment to the Criminal Code of Bosnia and Herzegovina. We are concerned, however, that the amendment is considered to be inadequate to meet international standards on countering money-laundering and the financing of terrorism. In view of the importance of closing gaps in the law that could be exploited to finance terrorism, we would urge parliamentary leaders to take action to strengthen the Criminal Code. In terms of public security and law enforcement, we note with concern that policing in Bosnia and Herzegovina is confronted by the challenge of political interference, which is causing delays in the formation of the independent boards that select police directors. We commend the Office of the High Representative for its collaboration with various stakeholders to update police legislation. It is our expectation that those reforms would enhance the independence and operational efficiency of the police.

We want to pay tribute to the High Representative for his unflinching efforts to fulfil his mandate. We support without reservation his call for the adequate staffing and funding of his Office. We believe this would greatly enhance his efforts.

Mrs. Schwalger (New Zealand): The briefing and report of the High Representative for Bosnia and Herzegovina (S/2015/300, annex) today are frank in noting areas of concern, but also show that some important and positive developments took place over the reporting period.

New Zealand welcomes the formation of a new Government of Bosnia and Herzegovina subsequent to the elections in October 2014. Electoral arrangements are complex, making the holding of peaceful elections and an orderly installation of the duly-elected Government a significant achievement. We wish the Government well as it confronts the many challenges ahead. Navigating these challenges will require strong political will and determination.

The commitment of representatives from across the political spectrum to social and economic reforms, with a view to closer engagement with the European Union through the Stabilization and Association Agreement, is a positive step. The socioeconomic and good governance reforms that are part of this process will benefit all the population of Bosnia and Herzegovina. The strengthening of institutions and the rule of law will support lasting stability and prosperity within a well-functioning State. We encourage the international community, especially neighbours in the region and the

European Union, to support Bosnia and Herzegovina as it undertakes the necessary but difficult reforms ahead.

While healthy debate stimulates a healthy democracy, unlocking a country's full potential requires all parties to share a common aspiration for a united and prosperous future. The divisive rhetoric once again identified in the High Representative's report is therefore concerning. Attempts to undermine the unity of the country, such as through calling for a referendum on secession, distract from the important reform agenda Bosnia and Herzegovina has ahead of it. As the High Representative pointed out, they also directly challenge the basic tenets of the General Framework Agreement for Peace. We hope that such rhetoric can be left behind and for all of Bosnia and Herzegovina to move forward together in the spirit of reconciliation.

In the twentieth year of the Dayton Peace Accords, progress is clearly evident, yet still much remains to be achieved. The five objectives and two conditions set by the Steering Board of the Peace Implementation Council, which are prerequisites for the closure of the Office of the High Representative, have not yet been accomplished. While the future of Bosnia and Herzegovina is, as it should be, in the hands of its citizens, the international community has a responsibility to encourage and support Bosnia and Herzegovina. To that end, New Zealand reiterates its commitment to the territorial integrity and sovereignty of Bosnia and Herzegovina and wishes it well on its path to unity, stability and lasting peace.

Mr. Lamek (France) (*spoke in French*): At the outset, I also would like to thank the High Representative for Bosnia and Herzegovina, Mr. Inzko, for his briefing.

France fully associates itself with the statement to be made shortly on behalf of the European Union. I will focus my remarks on three points.

First, concerning the political dynamics, the Bosnian people were able to exercise their democratic duty last October and to choose new representatives. A great many things in fact remain in need of improvement; testimony to that is the fact that the process for appointing the executive was significantly delayed and was not finalized until the end of March. However, we are pleased to see a new team in place, both at the level of the two entities and at the State level, where the tripartite Presidency has quickly gotten to work and has been collaborating constructively with the Office of the High Representative and with the European Union.

The task facing the Bosnian authorities is considerable, and Bosnians expect their leaders to demonstrate that they are capable of facing it. Refusing to succumb to rhetoric that exacerbates ethnic divisions, the Bosnian people as a whole have shown that their priority is socioeconomic improvement. Year after year the country has remained powerless in the face of a major issue: seeing young people take their talents abroad because of the lack of opportunities and prospects for the future. We urge the Bosnian authorities to act to improve the situation as rapidly as possible.

Secondly, I would like to consider a very important topic, that is, the European integration of Bosnia and Herzegovina. Above all, the goal is to improve the socioeconomic conditions of the country. For that reason, we relaunched the European Union initiative with regard to Bosnia and Herzegovina, including European integration, which remains a strategic priority. That is a wish expressed by the Bosnians themselves, despite what some outside Bosnia and Herzegovina might want to believe. The lack of movement of the last few years could not reasonably continue, while most neighbouring States experienced considerable progress along this path. It is in that spirit that the European Union has decided to lend new momentum to the process, which, I reiterate, meets the wishes of the Bosnian population.

The formation of a new governmental team provides an ideal opportunity to take a further step towards integration, and we welcome the positive reception to date to the European Union initiative by Bosnia and Herzegovina — on the part of the Presidency, the Parliament and the main political forces in the country. The written commitment undertaken by the authorities should open the path for the socioeconomic reforms so sorely needed by the country, which will enable it to become closer to its European neighbours. The logical result of that commitment is the Stabilization and Association Agreement, which will enter into force in a few weeks and which we welcome. The upcoming Bosnian presidency of the Council of Europe, which begins on 19 May, will provide an opportunity for Bosnia and Herzegovina to affirm its desire to become closer to Europe and to the fundamental principles guaranteed by the European Convention on Human Rights, so dear to the heart of the European Union.

Finally, I would like to say a few words on the existing institutional framework. The whole of Europe wishes to participate in the transformation of Bosnia and Herzegovina and to contribute its integration as a united, sovereign country that enjoys full territorial integrity. In that regard, it is unacceptable that the old nationalist ideas are still voiced, thus endangering the unity and stability of the country. We reiterate our call for an end to any actions or rhetoric likely to divide the country. Our message is clear: there can be no questioning of the territorial integrity of Bosnia and Herzegovina.

We also call upon all parties to cooperate fully with the High Representative, in keeping with the Dayton Accords, which constitute the reference framework for the international community's role in Bosnia and Herzegovina. I would like to pay tribute to the High Representative and his team for their commitment and dedication to uphold the General Framework Agreement for Peace in Bosnia and Herzegovina, which for 20 years now has preserved peace. At the same time, the consideration of the reconfiguring the Office of the High Representative should continue. That conclusion is based on the fact that the persisting political difficulties force us to re-craft and adapt our strategy. Maintaining the exact framework and mechanisms established at the end of the 1990s does not serve the needs of the Bosnia and Herzegovina people at a time when the situation in the country and the region has considerably evolved. We wish to reinforce the cohesiveness of the international mechanism on Bosnia and Herzegovina by seeking complementarity between the Office of the High Representative and that of the European Union, the leadership of which is recognized today.

I cannot conclude by mentioning a very painful memory. We are preparing to commemorate the sad twentieth anniversary of the Srebrenica massacre, described as genocide by the International Criminal Tribunal for the Former Yugoslavia. We hope that the country will be able to demonstrate that it has been able to overcome old grudges and demonstrate national unity. The future of Bosnia and Herzegovina requires closer cooperation between the entities that compose it on the basis of equality and mutual respect. In that regard, intercommunity reconciliation is essential to consolidate a sense of belonging to a common history and destiny, which is a requirement for the construction of a common future. The European Union, like France, will assist Bosnians in the process.

Mr. González de Linares Palou (Spain) (*spoke in Spanish*): I would like to thank the High Representative for Bosnia and Herzegovina, Ambassador Valentin Inzko, for his briefing and his detailed report (S/2015/300, annex) for the period 21 October 2014 to 21 April 2015. I also welcome the presence of the Permanent Representative of Bosnia and Herzegovina in the Council today.

Spain is a friend and partner of Bosnia and Herzegovina. Not only do we have strong links at the political level, but we have also enjoyed a steady closeness between our citizens during the difficult years of the conflict. We have seen a deepening of those relations since then. For that reason, this meeting is particularly important for Spain, because this is our first opportunity to take part in a debate on this issue since our country has been seated in the Security Council.

I would like to reiterate Spain's support for the work of the Office of the High Representative. Along with the countries and international bodies on the Peace Implementation Council for the Dayton Peace Accords, my country hopes that the 5+2 agenda can be carried out as soon as possible. We therefore call upon the various stakeholders to work together to that end. Until that happens, however, the High Representative's work will continue to be necessary.

In a few months we will commemorate the twentieth anniversary of the Dayton Peace Accords, which established the basis for peace and stability in Bosnia and Herzegovina and for making progress at the political and socioeconomic levels in the country — and, by extension, the entire region. I would like to emphasize the importance of that, as well to reiterate the the call upon all political actors in Bosnia and Herzegovina to use the Accords to create greater stability in the country, to ensure its full functionality and to move towards the prosperity that we all desire.

In that context, I also wish to reiterate Spain's support for the sovereignty, unity and territorial integrity of Bosnia and Herzegovina as enshrined in the Dayton Accords. Along with cooperation and constructive relations with its neighbours, as well as fulfilling the conditions and respecting communal heritage, those principles are the only way to make progress in the country's European integration process.

Spain fully aligns itself with the statement to be made later by the observer of the European Union.

Along with other European Union partners, we welcome the pending entry into force of the Stabilization and Association Agreement. With that momentum, the European Union is once again resolutely demonstrating its readiness to help Bosnia and Herzegovina and ensure its European future.

In parallel, the written commitment adopted by the tripartite Presidency, which was subsequently signed on to by the leaders of the political parties and endorsed by the Parliament, is a formal basis for the way ahead for all of the institutions and representatives of the citizens of Bosnia and Herzegovina. It is our hope that they will continue making progress on the path of reforms, including those set out in the plan for growth and employment as well those of a constitutional nature having to do with the functioning of State institutions. We are on the right path, but there is still a way to go.

Spain once again joins others in calling on the political leaders of Bosnia and Herzegovina to continue their steady progress along the path of reform in accordance with the commitments made. In that regard, it is very important to establish an effective coordination mechanism. As seen today, the circumstances call for that, and they should be taken advantage of. In particular, the recent establishment of the various levels of Government following the October elections is good news. We must now take advantage of the existing momentum to deliver on the legitimate responsibilities incumbent upon them following the elections.

I conclude by stating that the elections now call for not only legitimacy, but above all rigour and responsibility. The people of Bosnia and Herzegovina have made clear their desire for progress. They have made their voices heard. It is now necessary to listen and to act accordingly without delay.

Mr. Rycroft (United Kingdom): I thank High Representative Inzko for his briefing today. It is fitting that my first statement in an open debate of the Security Council is on the subject of Bosnia and Herzegovina. Earlier in my career, I served in the British delegation at the Dayton peace talks. I saw first-hand how the international community, led by Dick Holbrooke, came together to help end years of brutal fighting. Later, as the British Ambassador in Sarajevo from 2005 to 2008, I witnessed how far Bosnia had progressed after the war and saw the first steps taken towards a future in the European Union (EU) and in NATO. Although those steps have faltered, the United Kingdom has always been a strong supporter of Bosnia and Herzegovina's long-term stability and prosperity. I am pleased to reassert that commitment unambiguously in the Council today.

This year, Bosnia's political leaders have an opportunity that they must not miss — to stop the drift and accelerate the journey towards a better future. They have a chance to implement the social and economic reforms their citizens expect and deserve. We must do our utmost to support them. I believe there are three areas in which we can do so.

First, let us all give our full backing to the EU initiative on Bosnia and Herzegovina, first developed by the United Kingdom and Germany. The written commitment to reform by Bosnia's leaders, including those in the Republika Srpska, is a sign that the initiative can succeed. The EU will fulfil its side of the bargain; the Stabilization and Association Agreement will soon come into force. As the British Ambassador to Bosnia and Herzegovina when the Agreement was signed, seven years ago, I am amazed and disappointed that it has not yet come into force.

Bosnia and Herzegovina's leaders can now harness momentum to deliver meaningful reform. Their actions need to match their written commitments. Stabilizing and stimulating Bosnia and Herzegovina's economy should be their priority — because in an average group of five young Bosnians, three of them have no jobs. Public dissatisfaction is growing. The many levels of Bosnia and Herzegovina's Government must now define their agenda for reform.

If Bosnia and Herzegovina's leaders do not take that opportunity to reform, we may see a repeat of the anger that shook the streets of Sarajevo last year. The violence and challenges to law and order showed that tensions still lie just below the surface. On occasions tensions have been high this year, and we condemn the unacceptable attack against a police station in Zvornik last month. Although the frequency of such attacks may be low, their effects can be far reaching.

Secondly, the Council must continue its support to preserve the security and stability of Bosnia and Herzegovina. The seventieth anniversary of the end of the Second World War and the twentieth anniversary of the Srebrenica genocide this year illustrate that in every generation Bosnians, Bosniaks, Bosnian Croats and Bosnia Serbs have suffered from conflict. Until security and stability is embedded across Bosnia and

Herzegovina, we must do all we can to reassure this generation that we mean it when we say "Never again!"

The United Kingdom believes that the continued presence of the European Union-led peacekeeping force (EUFOR), with an executive mandate, is the best way to provide that reassurance. We advocate the retention of this vital asset when its mandate is up for renewal in November. And we also support the continued work of the High Representative and his efforts to fulfil the five objectives and two conditions, which were set back in my time in Sarajevo and still have not been fully met.

Together, the international community has a continued role to play to deter those who question Bosnia and Herzegovina's sovereignty and territorial integrity. Last month's declaration by the Alliance of Independent Social Democrats on the independence of the Republika Srpska shows that there are those who still relish in division. But their proposed referendum is a clear breach of the Dayton Agreement. The Republika Srpska does not have the right to secede. Borders will not be redrawn. And the EU position is simple and clear: only a united, functioning, effective State of Bosnia and Herzegovina will be offered EU membership, when it meets all the conditions.

Let me conclude on my third point. In November we will mark the twentieth anniversary of Dayton. For two decades, it has been up to Bosniab and Herzegovina's political leaders, supported by the international community, to overcome their narrow interests and find common ground. They have not always managed to do so, but they will continue to have our support. This year, Bosnia and Herzegovina's newly elected leaders have a chance to demonstrate to the Council that they can act in their collective national interests and end years of stagnation. We cannot do it for them.

Just as they showed at Dayton, nearly 20 years ago, and in signing the Stabilization and Association Agreement seven years ago, they have shown in their commitment to the EU initiative that they can find consensus, they can succeed and deliver real reform, they can set aside their differences for the greater prize of economic growth, stability and prosperity. They owe it to the Bosnian people to seize this opportunity.

Mr. Omaish (Jordan) (*spoke in Arabic):* I wish to start by thanking the High Representative for Bosnia and Herzegovina for his briefing. Jordan has taken note of the conclusions contained in the High Representative's forty-seventh report on implementation of the Bosnia and Herzegovina peace agreement (see S/2015/300, annex). The report includes a number of positive steps forward, which we welcome. At the same time, we are concerned by actions that continue to undermine the foundations of the Dayton Peace Agreement.

The agreement between the Bosnian parties to form the current Government has placed Bosnia and Herzegovina back on the path to normalization. Jordan therefore welcomes the formation of the Government and calls on it to pursue its efforts to meet the political, social and economic aspirations of its citizens. Jordan commends the efforts undertaken in Bosnia and Herzegovina in the area of reform in general, but reaffirms the importance of redoubling efforts in the areas of the rule of law, the fight against corruption and other pivotal issues. If Bosnia and Herzegovina is to meet these challenges, the current authorities, the leaders of the various parties and the political elite need to work together vigorously to confront these challenges, regardless of their differences.

In the light of the difficult economic conditions afflicting Bosnia and Herzegovina, all stakeholders must stand together to revive the country's weakened economy. This responsibility lies primarily with Bosnians themselves, who must work to create the conditions necessary to reviving the country's economic system. At the same time, we urge the international community to continue to assist Bosnia and Herzegovina in that vital sector, and we urge all the countries of the region to develop and strengthen their relations with Bosnia and Herzegovina.

In that context, and in the interest of strengthening the country's cooperation and regional integration, Jordan welcomes the adoption by the Bosnian Parliamentary Assembly in February of the Presidency's written commitment to maintaining the country's efforts to accede to the European Union, in accordance with the aspirations of Bosnians within their broader, more comprehensive vision of the future. This will require greater effort on the part of Bosnian leaders by taking important decisions to overcome the challenges involved in meeting the necessary criteria for accession.

The political difficulties experienced by Bosnia and Herzegovina during the period that preceded the agreement on the formation of the current Government show that the only path open to the Bosnians is to work together to overcome the problems and difficulties currently afflicting the country. Thus, the respect of all Bosnians for the unity and sovereignty of Bosnia and

Herzegovina within its recognized international borders is essential to the country's progress and prosperity. We urge all those who promote the idea of secession from Bosnia and Herzegovina to refrain from making such calls, which contravene the provisions of the Bosnian Constitution and the Dayton Peace Agreement. We also urge them to harness their energies to strengthen national unity and to engage in positive cooperation with all entities in Bosnia and Herzegovina.

In conclusion, we pay tribute to the multinational stabilization force in Bosnia and Herzegovina and commend its efforts to assist with the implementation of the peace agreements and promote capacity building.

Mr. Lucas (Angola): We welcome and thank Mr. Valentin Inzko, High Representative of the Secretary-General, for his briefing, for introducing the report on the implementation of the peace agreement (S/2015/300, annex), and for the work being accomplished by his Office in ensuring steady progress in the consolidation of the multinational State of Bosnia and Herzegovina. At the outset, we would like to declare the strong support of the Republic of Angola for the unity, territorial integrity and sovereignty of Bosnia and Herzegovina, in accordance with the Dayton Peace Agreement. In our statement, we will focus on three main issues: the general political enviornment, challenges to the General Framework Agreement for Peace, and objectives and conditions for the closure of the Office of the High Representative.

Concerning the political environment, we welcome the new Government established on 31 March, six months after the general elections. Despite coalition agreements signed at the federation and entity levels, disagreement over the distribution of ministerial posts delayed the formation of the Government, justifying the view expressed in the High Representative's report on the need to improve the electoral process, including by reforming the electoral law and relevant constitutional provisions. The joint declaration on tripartite presidency, confirming the commitment to institutional reforms at all State levels in order to prepare the country for future European Union membership, is an important political development as well, as is the statement of the European Union Foreign Ministers on the need for meaningful progress in implementing the reform agenda for European Union membership application.

The initiative launched by the Foreign Ministers of Germany and the United Kingdom in November 2014 — now a European Union initiative — offers Bosnia and Herzegovina a real opportunity to make progress towards integration into the Euoprean Union. We expect that the decision adopted by the Council of the European Union, adopting the European Union Stabilization and Association Agreement with Bosnia and Herzegovina, will effectively enter into force on 1 June and that it will provide the road map for its full integration into the European Union, guaranteeing the future of a united, sovereign, multi-ethnic, stable, prosperous and developed country.

With respect to the challenges of the General Framework Agreement for Peace 20 years after the signing of the Dayton Peace Agreement, we are concerned about statements made by senior officials of Republika Srpska advocating the dissolution of the State of Bosnia and Herzegovina. Such acts undermine cohesion among the multi-ethnic communities in the country and national reconciliation. In this regard, we call upon political leaders to refrain from such rhetoric and to make every effort towards national reconciliation and the integration of all ethnic communities in order to consolidate the positive achievements made so far.

We are deeply concerned that many young people from Bosnia and Herzegovina have been joining terrorist groups in the Middle East. We call upon the authorities to adopt energetic measures and policies to counter such negative and dangerous trends.

On the issue of objectives and conditions for the closure of the Office of the High Representative, it is regrettable that, in the reporting period, Bosnia and Herzegovina made limited progress towards meeting the outstanding objectives set by the Steering Board of the Peace Implementation Council as a prerequisite for the closure of the Office, as recalled in resolution 2183 (2014).

Finally, the Republic of Angola welcomes the fact that the overall security situation in Bosnia and Herzegovina remains calm and stable. We acknowledge the activities of the European Union-led peacekeeping force Operation Althea in support of peace and security in Bosnia and Herzegovina. We commend the work carried out by the Office of the High Representative to maintain a safe and secure environment in accordance with its mandate and are confident of a new future for Bosnia and Herzegovina, hoping that the new leaders will look beyond the divisions of the past and will focus on good governance, rule of law and economic reforms towards a peaceful and prosperous future.

Mr. Wang Min (China): I thank High Representative Inzko for his briefing.

The situation in Bosnia and Herzegovina of late has remained generally stable. There has been positive progress in the political process and the area of the rule of law. Despite the floods that ravaged the country in May 2014, and thanks to the efforts of the country's people, the overall economy is moving in the right direction. Elections were held successfully late last year, and in March a new Government was formed without difficulty, for which China would like to offer its congratulations.

China respects Bosnia and Herzegovina's sovereignty, independence, unity and territorial integrity and believes it is the country's sovereign right to choose its own development path and foreign policies. The international community should respect and support the Government and people in their choice of a path to development. We hope that under the new Government's leadership, all communities can live in peace and work together on their shared development in order to build on their significant achievements in national reconstruction. We also hope that comprehensive implementation of the Dayton Peace Agreement will continue and that more progress will be made in all reconstruction areas.

Bosnia and Herzegovina is an important country in the Balkans, and its achievement of peace, stability and development is in the common interests of the international community, including the other countries in the region. At the moment, its economic development and national reconstruction are still facing complications and difficulties, and the country needs the continuing support and help of the international community if it is to achieve sustainable economic and social development and lasting peace and stability. The international community should take a balanced and prudent approach to Bosnia and Herzegovina's issues while fully respecting its people's ownership and independence, with a view to enhancing unity and achieving harmonious development that can benefit all its communities. China supports High Representative Inzko in his efforts to fulfil his mandated tasks in a way that will enable him to play a constructive role in advancing the country's political process. We are ready to join the international community in a continuing effort to contribute to lasting peace, stability and development in Bosnia and Herzegovina.

Mr. Mangaral (Chad) (*spoke in French*): I would like to thank the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina for the briefing on his report for the period from 21 October 2014 to 21 April 2015 (S/2015/300, annex). The period was dominated by three main political developments, the process of forming a Government following the October 2014 elections, the efforts to kick-start Bosnia and Herzegovina's integration into the European Union and the actions and statements challenging the fundamental principles of the Dayton Peace Agreement.

In that regard, we welcome the High Representative's efforts to ensure the upholding of the civilian aspects of the Dayton Agreement, promote recent advances and to continue to implement the gains that have been made in implementing the Agreement. We further welcome the announcement on 10 November of the official election results for the State of Bosnia and Herzegovina and for the two entities and the 10 cantons in the Federation. We also commend the progress made regarding concerns about the Law on the Temporary Prohibition of Disposal of State Property enacted in March 2005, while deploring the challenges that various parties have made during the reporting period to the General Framework Agreement for Peace, which are an affront to Bosnia and Herzegovina's sovereignty and territorial integrity. We were surprised by the announcement by a member of the Bosnia and Herzegovina House of Peoples, reported in the media on 9 April, about his party's intention to adopt a resolution on a free and independent Republika Srpska, and we condemn it, since it undermines the country's cohesion.

We welcome the election of the new joint Presidency, composed of a Serb, a Croat and a Bosniak member, which took office in November in a constructive spirit. We also commend the Parliamentary Assembly's endorsement on 23 February of the commitment to reforms ahead of the country's entry into the European Union. We call on all authorities in Bosnia and Herzegovina to cooperate fully with the High Representative and the relevant international organizations, as laid down in article 9 of the General Framework Agreement, and to allow the High Representative access to information and official documents that he needs in order to carry out his mandate. We are concerned about the attitude of authorities at various levels who continue to refuse to implement many decisions of the Constitutional Court and the general lack of progress in strengthening the rule of law in the country.

Concerning the perpetrators of war crimes, we note the federal authorities' lack of persistence in prosecuting them. The political pressure being put on the police is also a serious obstacle to its ability to function properly. Regarding the issue of refugees and displaced persons, we believe that this is a central piece of the General Framework Agreement for Peace, and one that will require that the State authorities and its constituent bodies ensure the creation of the political, economic and social conditions conducive to their return and harmonious reintegration without discrimination. We should also note that the reforms designed to ensure the independence of public media are stalled, thanks to disagreement between the three public broadcasters in Bosnia and Herzegovina and their consequent failure to establish a national public television and radio entity as required under State legislation.

We pay deserved tribute to the European Union military mission in Bosnia and Herzegovina, which continues to play an important role in supporting the country's efforts to maintain conditions conducive to safety and security. We also reaffirm our belief in Bosnia and Herzegovina's territorial integrity and sovereignty, and we support the Office of the High Representative in its efforts to achieve the five objectives and two conditions necessary of the Office's closure.

The President: I will now make a statement in my capacity as representative of Lithuania.

I am pleased to welcome High Representative Valentin Inzko back to the Council, and to thank him for his report (S/2015/300, annex), his briefing and all the work he does on the ground.

Lithuania aligns itself with the statement to be delivered on behalf of the European Union (EU).

This year is the twentieth since the end of a three-and-a-half-year war and an immense human tragedy. It also marks the 20th anniversary of the Srebrenica massacre, which has been described as true scenes from hell, written on the darkest pages of human history. The progress achieved since the signing of the Dayton Peace Agreement has been remarkable. The past two decades are proof of the international community's commitment to building a safer and more stable region. The sustained engagement of the EU has provided an essential framework and incentive for change. There are challenges ahead, but a great deal of progress has been achieved in the region, and Bosnia and Herzegovina is no exception. Significant steps have been taken in realizing the vision of a prosperous, united, multi-ethnic nation. Our commitment to Bosnia and Herzegovina's integrity as a sovereign and united country remains strong.

The latest developments in Bosnia and Herzegovina are a clear demonstration of its people's choice of Europe and the country's firm determination to move forward on the path of EU integration. The renewed EU approach has generated momentum. With their written commitment to undertake further reforms signed by the leaders of the political parties and endorsed by the Parliamentary Assembly, the authorities of Bosnia and Herzegovina made a remarkable decision. It was a defining moment in relations between the EU and Bosnia and Herzegovina and a solid step towards realizing the country's European perspective, enabling the entry into force of the Stabilization and Association Agreement as of next month. Further steps must be taken to carry on the reform agenda supporting necessary economic and social change, including measures provided by the Compact for Growth initiative, as well as close dialogue between the EU and Bosnia and Herzegovina.

While we have seen the resilience the economy has displayed in the context of the floods that affected Bosnia and Herzegovina and other countries in the region last spring, tackling social and economic issues, as the High Representative's report notes, requires urgent attention. The high unemployment rate, especially among the young, is a matter of concern. Continuous reform should translate into real opportunities for the benefit of all citizens, including the youth and the unemployed. We are encouraged by the intentions of newly elected leaders to focus on their reform efforts.

We call on the authorities to capitalize on the opportunities that the renewed EU approach presents. Their full realization requires determination and unity among the political elites. The divisive nationalistic and separatist rhetoric is threatening the very foundations of the State, is counterproductive and should be discarded. As mentioned, Lithuania firmly supports the independence, unity and sovereignty and territorial integrity of Bosnia and Herzegovina. Further reconciliation and strengthening of the rule of law and administrative capacities at all levels would require overcoming the political differences and uniting for the common goal. Good-neighbourly relations and regional cooperation are essential for ensuring security and prosperity in the Western Balkans. Joint efforts on connectivity and other areas are important unifying

factors. We encourage the newly elected authorities to further promote regional cooperation and strengthen ties with the neighbouring countries.

Regional cooperation initiatives also contribute to addressing security threats. While the overall security situation in Bosnia and Herzegovina remains stable, the recent incident in the city of Zvornik, where a police station was attacked and a policeman was killed underlines the need to scale up efforts by the authorities aimed at ensuring public order, safety and security. The European Union and Lithuania, as its member, will continue to provide, through the European Union-led peacekeeping force, support to Bosnia and Herzegovina's efforts to maintain a safe and secure environment under the United Nations mandate.

In conclusion, we encourage Bosnia and Herzegovina's leadership to demonstrate clear, strategic political will and determination and use the momentum for all citizens of Bosnia and Herzegovina to benefit from the real progress in economic and social reforms. This is essential in realizing the vision of a united and prosperous country that is strong in its diversity.

I now resume my functions as President of the Council.

I give the floor to the representative of Bosnia and Herzegovina.

Ms. Čolaković (Bosnia and Herzegovina): At the outset I would like to thank High Representative Mr. Valentin Inzko for his presentation of the fourty-seventh report (S/2015/300, annex) on the situation in my country. We appreciate the activities he has undertaken in his role under the General Framework Agreement for Peace in Bosnia and Herzegovina.

Positive political developments have taken place since the last report of the High Representative (S/2014/314, annex). A six-month period of intensive and sometimes painful post-election negotiations has come to an end in my country. All government institutions in Bosnia and Herzegovina are formed and ready to address a number of important issues for the present and future of the country. First of all, the much needed reforms to establish a framework for socioeconomic measures aimed at realizing a better and more prosperous life in Bosnia and Herzegovina cannot wait any more.

After seven years, the strong European Union perspective is again occupying a central place in the political agenda of Bosnia and Herzegovina. The joint declaration on commitment — adopted by the Presidency on 29 January, signed by the leaders of the 14 parties represented in Parliament and fully endorsed by the Parliamentary Assembly on 23 February — reaffirmed the membership of the European Union as a strategic goal of Bosnia and Herzegovina.

Following this, on 21 April the Council of the European Union adopted a decision concluding the Stabilization and Association Agreement with Bosnia and Herzegovina. It is expected that the Agreement will enter into force on 1 June. In this historic decision, the Council of the European Union noted

> "that having regard to the commitments thus undertaken by Bosnia and Herzegovina, and in accordance with its conclusions of 15 December 2014, the Council notes that the necessary conditions contained therein have been met and agrees to proceed with the conclusion and entry into force of the Stabilisation and Association Agreement with Bosnia and Herzegovina".

It is our deep conviction that this new, modified approach of the European Union towards Bosnia and Herzegovina represents a unique opportunity to leave behind for good a period of stagnation and immobility thus showing the people of Bosnia and Herzegovina that their leaders have understood their message and call for changes.

Of course, we must be conscious that the task in front of us is massive, that a number of vital areas need serious restructuring and adaptation to the European Union standards. The relevant Bosnia and Herzegovina institutions are in the process of drawing the list of priorities for the forthcoming period. Along with internal reforms, Bosnia and Herzegovina is closely focusing on enhanced cooperation within the region, especially when it comes to infrastructure projects. As has been proved many times over, the pull of European Union integration is crucial to provide a positive incentive for my country to advance its socioeconomic, judicial and other necessary reforms and to resolve the remaining obstacles on the path towards European integration.

We are aware that our socioeconomic situation calls for urgent reform measures. As many speakers today have pointed out, youth employment and the creation of new jobs are of critical importance to keeping young professionals in Bosnia and Herzegovina and is

one of the most urgent tasks for the newly appointed authorities at all levels. The Compact for Growth and Jobs in Bosnia and Herzegovina offers a comprehensive set of measures to be undertaken in that regard.

We have witnessed lately a new dynamic in regional cooperation in the Western Balkans region. It is a clear sign of the improved relations among the countries and at the same time the awareness that a number of issues are of common interest and can be dealt with successfully only if all interested countries are involved. It pertains particularly to the big infrastructure projects related to the communication, transport and energy sectors. This course of action was confirmed and fine-tuned at the meeting of the six Prime Ministers from the Western Balkans in Brussels on 21 April. The announced financial support of the European Union in this field will be of crucial importance.

Our active participation in the activities of a number of regional organizations, as well as the United Nations, is by now well known. We are part of the peacekeeping forces of the United Nations to name just one example. Also, we are to take over as Chair of the Committee of Ministers of the Council of Europe on 19 May for a period of six months. In that regard, the meeting of the Standing Committee of the Parliamentary Assembly of the Council of Europe in Sarajevo in May is to be the first political event of our six month tenure. We see this as an exceptional opportunity to show that Bosnia and Herzegovina has all the necessary capacities to chair the Council of Europe and its 47 countries members.

The attack on the police station in Zvornik, which took place on 27 April, serves as a reminder that the threat of terrorism and violent extremism is of great concern for our region, as it is for the rest of the world. Although we believe that this was an isolated case, it certainly calls for increased vigilance, better coordination among law enforcement and security agencies, and regional and international cooperation in fighting terrorism. My country remains fully committed and will continue to actively participate in the global effort to counter terrorism and violent extremism, for we believe that terrorism can be defeated only through the international community's coordinated action based on a sustained and comprehensive approach involving the active participation and collaboration of all States.

I would like to conclude by stating our conviction that the glass is half full. In other words, I am optimistic that today the synergy established between the country's internal political players and the international community, especially the European Union, will yield tangible and positive results. Although it has taken a long time, we now have a political process based on dialogue suitable for fulfilling the promises made to the citizens of Bosnia and Herzegovina, a country whose landscapes are spectacular and whose cultural diversity is rich, as Mr. Inzko rightly pointed out in his opening remarks.

The President: I now give the floor to the Head of the Delegation of the European Union.

Mr. Mayr-Harting: I have the honour to speak on behalf of the European Union (EU) and its member States. The candidate countries Turkey, the former Yugoslav Republic of Macedonia, Montenegro and Albania, as well as Ukraine and the Republic of Moldova, align themselves with this statement.

I join other speakers in welcoming my good friend High Representative Valentin Inzko back to the Security Council and would like to reassure him of our continued support. I also thank the Permanent Representative of Bosnia and Herzegovina for her statement.

The European Union continues to closely follow developments in Bosnia and Herzegovina. Stability and progress in the country are both very important to us. I have the pleasure to inform the Council that the Stabilization and Association Agreement between the European Union, its member States and Bosnia and Herzegovina will enter into force on 1 June, following the adoption in Sarajevo of the written commitment, which sets out an ambitious framework for a comprehensive reform agenda. We attach strategic importance to the written commitment to reform and progress towards EU membership, which has been adopted by Bosnia and Herzegovina's Presidency, signed by the leaders of the country's political parties and endorsed by the Parliamentary Assembly. These positive developments are crucial signs of Bosnia and Herzegovina's strong partnership with the European Union and evidence of the country's commitment to the EU path in the context of the renewed EU approach outlined by the Council of the European Union in December 2014.

Following the October 2014 general elections, the process of forming State and entity parliaments and Governments has now been concluded. Representatives of the newly formed State and entity-level Governments are now engaging with the European Union and international partners, including with the international financial institutions, towards the development and

implementation of the initial reform agenda. This reform agenda should be in line with the EU acquis and will need to focus on Copenhagen criteria: socioeconomic reforms, including rule of law and good governance, and agreed functionality issues, including the EU coordination mechanism. It should also embrace the Compact for Jobs and Growth initiative, of which the Council was informed in May 2014 (see S/PV.7176).

Comprehensive efforts towards the implementation of reforms by the leadership of Bosnia and Herzegovina will benefit all citizens of the country, irrespective of their ethnicity or religious affiliation. Meaningful progress in the implementation of reforms will strengthen stability and build strong foundations for future development and prosperity. It will also play a role in further progress on the EU integration path.

Despite the foregoing important positive signs, there is a long way to go in Bosnia and Herzegovina before we can declare unreserved success. Deeply rooted divisions remain and reconciliation is slow. Socioeconomic challenges can be easily manipulated for political purposes. There have been attempts to do so. Divisive and separatist rhetoric remains a cause for serious concern and is highly disruptive of the reforms that Bosnia and Herzegovina has to implement. Statements are made and initiatives are taken for short-term political purposes. Misleading and harmful political visions are offered to the public, often to consolidate power and distract attention from deep socioeconomic challenges and from the political responsibility for the state of the economy. Such behaviour undermines trust in the domestic political leadership and questions its intentions and its commitment to the success of the reform process in the country.

Since September 2011, the consolidated presence of the European Union in Bosnia and Herzegovina has been fully engaged in supporting the country, including in all EU-related matters. The recently appointed Special Representative of the European Union, who is also our Head of Delegation in Sarajevo, Lars-Gunnar Wigemark, has just arrived there, and will, like his predecessors, continue to provide political guidance on military issues with a local political dimension to the EU Force Commander.

The European Union also continues to accompany Bosnia and Herzegovina's progress in the security field. The overall security situation has remained calm and stable, yet stability has not been entrenched. The recent dramatic incident in Zvornik, where a police station was attacked by an individual and a policeman was killed, is an indicator of the persistent risks in the area of public order and security and a reminder of the need for continuous efforts in these areas. In addition, the authorities of Bosnia and Herzegovina need to address the root causes of the socioeconomic difficulties and further improve the capacity of law enforcement agencies.

In relation to the foregoing, the EU is ready to keep the EU-led peacekeeping force (EUFOR) Operation Althea focused on capacity-building and training while retaining the capability to contribute to the authorities' deterrence capacity, if the situation so requires. EUFOR Althea is also ready to play an executive military role to support Bosnia and Herzegovina's efforts to maintain a safe and secure environment under a United Nations mandate. Further, in the context of the overall EU strategy for Bosnia and Herzegovina, we look forward to continuing the discussions with the international community in the appropriate forum on the reconfiguration of the international presence and call on the authorities in Bosnia and Herzegovina to meet the outstanding objectives and conditions for the closure of the Office of the High Representative.

The EU reiterates its unequivocal commitment to the territorial integrity of Bosnia and Herzegovina as a sovereign and united country as well as to Bosnia and Herzegovina's European Union prospects. The European Union will continue to provide the necessary support and assistance for promoting the country's stability, reforms, development and European integration process.

A new energy and spirit are evident. They must be sustained and further strengthened to take on the deep-rooted divisions and challenges that remain, including the need for significant improvement of the efficiency and functionality of the country's institutions in general, to ensure the sustainability and continuity of democratic reforms that have been in place since 1995, and to develop capacities and capabilities required in the context of EU accession, particularly as regards coordination among various levels of Government.

Therefore, I would like to take this opportunity to invite the Security Council to urge the leadership of Bosnia and Herzegovina to respond to its citizens' demands, maintain positive momentum by delivering on its commitments to reforms, including those relating to the implementation of the Stabilization and Association Agreement, to look beyond persistent political divisions

and to finally and decisively move the country forward on its reform agenda towards stability and prosperity for all its citizens as it advances on the path to the European Union.

The people of Bosnia and Herzegovina deserve progress, prosperity and prospects for a better future. The European Union stands ready to help and assist the country to fulfil this vision and encourages all the stakeholders in the country and the region to provide their share of support. Bosnia and Herzegovina's tangible progress on the comprehensive reform path is in the best interest of the country, the region and the European Union itself.

The President: I now give the floor to the representative of Croatia.

Mr. Drobnjak (Croatia): At the outset, I join other speakers in welcoming High Representative Valentin Inzko and expressing our appreciation for his briefing and the report (S/2015/300, annex), as well as for the personal efforts he has tirelessly invested in carrying out his mandate.

Croatia aligns itself with the statement delivered on behalf of the European Union, and I will add several remarks in my national capacity.

For Croatia, Bosnia and Herzegovina is not only a neighbouring country with which we share a 1,000-kilometre long border; it is a country with which we nourish friendly partnership relations and which we consider our ally. The fact that the Croatian President, Ms. Kolinda Grabar-Kitarović, chose Bosnia's capital Sarajevo for her first foreign bilateral visit since taking office in February this year tellingly confirms the importance Croatia assigns to its relations with Bosnia and Herzegovina.

Croatia strongly supports the sovereignty and territorial integrity of Bosnia and Herzegovina. Its stability and prosperity are of paramount importance to us. We will continue to advocate for sustained attention from the international community to Bosnia and Herzegovina, with a goal of achieving concrete progress in the country's process of European integration.

Ensuring genuine equality between its three constituent peoples is an important and necessary element for achieving the stability and functionality of Bosnia and Herzegovina. Six months after the elections, all authorities have finally been established in Bosnia and Herzegovina. We note with satisfaction that Croats — the numerically smallest of the three constituent peoples in the country — finally have a legitimate member of the Presidency and are represented at all levels of the Government in an equal and legitimate manner.

The last thing Bosnia and Herzegovina needs is secessionist and inflammatory rhetoric. For that reason, we condemn recent statements and actions by the Republika Srpska, such as the adoption of the declaration on free and independent Republika Srpska, as well as the controversial interpretation of what happened in Srebrenica 20 years ago. Such acts are completely unacceptable. On the other hand, Mr. Milorad Dodik's visit to Srebrenica in April could be an encouraging harbinger in the much-needed reconciliation process.

The twentieth anniversary of the genocide in Srebrenica this July will be another opportunity for all of us to honour the memory of the worst atrocity in Europe since the end of the Second World War. What happened in Srebrenica constitutes genocide, as established by the International Tribunal for the Former Yugoslavia. Attempts to deny it are simply unacceptable.

We strongly believe that the steady and forward-looking European integration process is the most efficient and constructive way to reach the internal consolidation of Bosnia and Herzegovina. Croatia firmly supports the new European Union (EU) approach towards Bosnia and Herzegovina. It has put the country back on the EU agenda and provided it with a real opportunity to achieve progress through comprehensive and feasible reforms. We fully support the Presidency of Bosnia and Herzegovina's engagement on this new EU initiative in the hope that it will continue to initiate much-needed political and economic reforms. In order to succeed, these reforms will require, besides improved administrative capacities and lots of hard work, consensus from all political parties.

The Croatian Minister for Foreign Affairs, Mrs. Vesna Pusić, visited Sarajevo last month and afterwards organized a ministerial working breakfast on the margins of the EU Foreign Affairs Council on 20 April in Luxembourg. It was an excellent opportunity to exchange views on the preparation of the initial reform agenda and reaffirm once again the EU perspective on Bosnia and Herzegovina.

Croatia welcomes the entry into force of the Stabilization and Association Agreement between the EU and Bosnia and Herzegovina on 1 June. This is its first contractual relationship with the EU, providing a structured blueprint for far-reaching political, economic and social reforms. As far as Bosnia and Herzegovina's advancement to NATO is concerned, we urge the newly elected political leaders to intensify efforts on the implementation of the six parties' political agreement on the issue of military property and to work constructively to implement the agreement in order to start the first membership action plan cycle as soon as possible.

We condemn the recent terrorist attack on the police station in Zvornik and express condolences to the family of the police officer who was killed in the attack. We expect the competent authorities and institutions in Bosnia and Herzegovina at all levels to cooperate closely in order to prevent such incidents in the future. Bearing this in mind, the EU military mission in Bosnia and Herzegovina, with an executive mandate, remains of vital importance.

We regret that the additional protocol to the EU Stabilization and Association Agreement with Bosnia and Herzegovina has not yet been concluded. It is long overdue. It is therefore crucial that Bosnia and Herzegovina re-engage in constructive discussions with the EU in order to approve the Agreement's technical adaptation as a matter of urgency. We also expect that Bosnia and Herzegovina will correct its present conduct regarding some customs-control related issues on parts of its border with Croatia.

In conclusion, I echo my opening remarks by stressing that Croatia fully supports Bosnia and Herzegovina and extends to it a hand of true friendship and partnership. Bosnia and Herzegovina deserves a secure and prosperous future and Croatia will spare no effort in providing its help along this challenging road.

The President: I now give the floor to the representative of Serbia.

Mr. Milanović (Serbia): I would like to thank High Representative Inzko for his report (S/2015/300, annex) and his statement made today. As a next-door neighbour, Serbia has a vital interest in the stability and prosperity of Bosnia and Herzegovina. In this context, we are firmly committed to the sovereignty and territorial integrity of the country as provided for by the Dayton Agreement.

Bosnia and Herzegovina is one of Serbia's key partners in the region and my country is resolved to continue promoting good-neighbourly relations with all political structures and in all areas and at all levels of Government in Bosnia and Herzegovina. Serbia welcomes and fully supports the new Government of Bosnia and Herzegovina on its path to European integration, as well as the reforms it intends to introduce.

My country is very concerned at the killing of one and the wounding of two other officers of the Ministry of the Interior of the Republika Srpska at Zvornik on 27 April. We condemn these heinous acts of terrorism in the strongest terms and expect the perpetrators to be prosecuted to the fullest extent of the law.

Terrorism and radicalism in general, and the departure of men and women from our part of the world to fight in foreign wars, in particular, do not contribute to the peaceful and prosperous life of our citizens. Both Serbia and Bosnia and Herzegovina are members of the global coalition to fight terrorism and have amended national laws to incriminate foreign terrorist fighters. Notwithstanding the fact that many of the fighters fight far from home, the recent terror attack is stark and sad evidence that our countries will not be spared from these monstrous practices, for terrorism has no knowledge of, or will to respect, national borders. This modern scourge must be confronted, and Serbia is ready to cooperate with Bosnia and Herzegovina in fighting terrorism, extremism and organized crime in all their forms in the belief that regional cooperation is the mainstay of stability and prosperity of the entire region.

Serbia and Bosnia and Herzegovina maintain a very high level of political dialogue. This is evinced, among other things, by the visit of Serbia's Prime Minister Aleksandar Vučić to Sarajevo last year, his first international visit upon taking office. He will visit Sarajevo again tomorrow. This April, Serbia's Foreign Minister Ivica Dačić met Bosnia and Herzegovina's Foreign Minister Igor Crnadak in Belgrade, while Foreign Minister Dačić travelled to Sarajevo on 29 April in his capacity as Chairperson of the Organization for Security and Cooperation in Europe. Furthermore, an initiative to hold a joint session of the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina has been launched.

Serbia and Bosnia and Herzegovina are agreed that economic cooperation, especially in the field of transport, infrastructrue and energy, is of paramount

importance to promoting good bilateral and regional relations. That is particularly significant in the context of recovery that is taking place in the two countries in the wake of last year's immense flooding, and makes it incumbent upon them to address themselves to rebuilding of infrastructure, without which no successful country-to-country cooperation would be possible, and which, just as importantly, links ordinary people as they go about their everyday lives.

Serbia is a staunch supporter of the European integration of Bosnia and Herzegovina and welcomes the conclusion of the Stabilization and Association Agreement with the European Union. That is good news not only for Bosnia and Herzegovina, but for the region as a whole. We believe that European integration is the most efficient way to bring overall progress and economic development to all countries of the region. We are therefore ready to promote cooperation in that area, exchange experiences and coordinate our activities. In that context, of particular importance is the work of the commission for the implementation of the action plan of the bilateral agreement on cooperation in the area of European integration. Also, we are committed to continuing our cooperation with Bosnia and Herzegovina within the framework of the programme of cross-border cooperation of the Instrument for Pre-Accession Assistance.

At the beginning of this year, my country assumed the chairmanship of the Organization for Security and Cooperation in Europe. Bosnia and Herzegovina will soon preside over the Council of Europe. That will provide various possibilities to embark upon a whole range of joint activities and projects that will contribute to development, stability and cooperation in the region. In addition to the fight against terrorism, which currently preoccupies us all, we intend, in that context, to include in our agenda the question of young people. The young people of our countries are our greatest asset in the long run and the most important building block as they strive to promote democracy and tolerance and bring about much-needed stability and prosperity.

Serbia cooperates with Bosnia and Herzegovina on a partnership basis, with understanding and respect for mutual interests and differences. In our efforts to promote mutual relations, we are ready to work hard to find timely and efficient solutions to all outstanding issues. To that end, let me point out the concrete contribution that was made recently by my country to the efforts of the Offices of the War Crimes Prosecutors of the two countries to investigate and punish all the perpetrators of war crimes in the territory of Bosnia and Herzegovina. Through constructive cooperation and partnership, we must continue to work together to build mutual respect and understanding, thereby contributing to the prosperity of our citizens. We stress that overcoming unease with some past legacies and the promotion of regional cooperation and good-neighbourliness are what we are after.

Reconciliation and stability in Bosnia and Herzegovina are in our mutual interest for the future of new generations. Illustrative of that — and as mentioned in the report before us — was the visit by the President of Republika Srpska, Mr. Milorad Dodik, on 16 April to the Potocari Memorial Centre and the wreath he laid in honour of the victims.

In conclusion, let me point out that, even though George Santayana's poignant maxim that those who cannot remember the past are condemned to repeat it is indeed very true, we must not allow the legacies of the past to cause us to stumble and go astray on our road to a common European future.

The meeting rose at 12.05 p.m.

United Nations S/PV.7441

Security Council

Seventieth year

Provisional

7441st meeting
Tuesday, 12 May 2015, 3 p.m.
New York

President:	Mrs. Jakubonė	(Lithuania)
Members:	Angola	Mr. Gimolieca
	Chad	Mr. Cherif
	Chile	Mr. Olguín Cigarroa
	China	Mr. Zhao Yong
	France	Mr. Stehelin
	Jordan	Mrs. Kawar
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Taula
	Nigeria	Mr. Adamu
	Russian Federation	Mr. Zagaynov
	Spain	Mr. González de Linares Palou
	United Kingdom of Great Britain and Northern Ireland	Ms. Mulvein
	United States of America	Mr. Simonoff
	Venezuela (Bolivarian Republic of)	Mr. Ramírez Carreño

Agenda

The situation in Libya

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Prosecutor Bensouda.

Ms. Bensouda: I thank you, Madam President, for this opportunity to once again engage with the Security Council on my Office of the Prosecutor's ninth report on Libya.

My Office welcomes the ongoing dialogue with Council members, and in particular with Rome Statute States parties that continue, in ways large and small, to bring justice to the Council's table as a paramount issue. It is those efforts that can tangibly demonstrate that justice and peace are indeed complementary and can go hand-in-hand. My Office supports those efforts as an essential tool for facilitating the work of the International Criminal Court (ICC) in the halls of the United Nations and beyond.

To that end, I extend my sincere gratitude to the United Nations Support Mission in Libya (UNSMIL), in particular its Human Rights, Transitional Justice and Rule of Law Division. The Mission's support for my Office in its ongoing assessment of the admissibility of the *Abdullah Al-Senussi* case has been essential. In particular, I would like to acknowledge with thanks the notable commitment of the United Nations Special Representative and UNSMIL Head, Mr. Bernardino León. My Office looks forward to continuing to work closely with the Mission in the coming weeks and months.

Finally, I would like to express my gratitude to the Libyan Prosecutor-General's Office for its ongoing professional engagement in implementing the November 2013 memorandum of understanding between the Government of Libya and my Office. Together, we remain committed to bringing fair and impartial justice to Libya's victims.

The deteriorating security situation in Libya continues to be a matter of great concern not only for my Office, but for the Council and the broader international community. Innocent civilians continue to bear the brunt of the deteriorating security situation. The frequency and brutality of assassinations, terrorist attacks and threats to media workers and human rights defenders — and in particular against women — are especially troubling. Libya continues to be split, with two Governments vying for legitimacy.

The international community must be more proactive in exploring solutions in order to tangibly help Libya restore stability and strengthen accountability for Rome Statute crimes. To that end, my Office has encouraged the establishment of an international contact group on justice issues through which material, legal and other support could be provided to Libya. My Office is modestly contributing to those efforts by fostering cooperative efforts between investigative authorities in Libya and other countries. One proposal I submit before the Council is for a willing State with substantial experience in transitional justice to consider partnering with Libya to explore more concretely how such a contact group might be brought to life in the near future.

It is crucial for such efforts to include local actors so that their voices and views on achieving justice are amplified and heard. My Office appreciates the efforts that the United Nations Support Mission in Libya, as well as the Permanent Mission of Libya to the United Nations, have made to that end, and looks forward to continuing such efforts with those and other partners as we forge ahead in finding solutions to the crisis in Libya.

As I suggested in my previous statements, the Libyan authorities should facilitate a visit to New York by representatives from the local councils of Misrata and Tawergha to meet and engage with Council members. My Office agrees with those who believe that facilitating a solution for the Tawergha issue will have symbolic importance and resonance in Libya. While it has not yet been possible to organize such a visit, I believe that we can achieve results before our next briefing, in November, with the help of the United Nations Support Mission in Libya, the Libyan Mission to the United Nations, the Libyan focal point to the ICC

and other initiatives engaging with Libyan local leaders and civil society to promote justice.

I have taken note of the Council's resolution 2174 (2014), of 27 August 2014, and resolution 2213 (2015), of 27 March 2015. Both make reference to the referral of the Libyan situation to the ICC in resolution 1970 (2011) and stress the importance of the Libyan Government's full cooperation with the ICC and with my Office. Like the Council, we deplore the increasing violence in Libya, and we are deeply concerned at the impact of the violence on Libya's civilian population and institutions. Accountability for those responsible for violations or abuses of human rights or violations of international humanitarian law is essential.

I have also taken note of the Council's call for accountability for the use of violence against civilians and civilian institutions by groups purportedly claiming allegiance to the Islamic State in Iraq and the Levant (ISIL), or Daesh. My Office believes that ICC jurisdiction over Libya prima facie extends to such alleged crimes. I recall, however, the principle that States, in the first instance, bear the primary responsibility to investigate and prosecute their nationals who have joined forces with ISIL and are alleged to be committing Rome Statute crimes. Similarly, my Office continues to be concerned about alleged indiscriminate attacks in heavily populated areas by both Operation Libyan Dawn and Operation Dignity forces, resulting in civilian casualties, in particular in Benghazi, Tripoli, Warshefana and in the Nafusa Mountains. I reiterate my call to all parties involved in the conflict to refrain from targeting civilians or civilian objects, or committing any other crimes that may fall within ICC jurisdiction, and to be vigilant and actively take all the necessary measures to prevent the commission of such crimes. My Office is actively considering the investigation and prosecution of further cases and will not hesitate to take such action as may be needed to contribute to ending impunity in Libya or to contribute to such action by other relevant prosecutorial authorities.

Although the Libyan Prosecutor-General's office in particular has engaged in fruitful cooperation with my Office, I must reiterate that there are specific areas in which the Government of Libya is in non-compliance with the Court's orders. In particular, I recall that, on 10 December 2014, the Pre-Trial Chamber found that Libya had failed to comply with the Chamber's requests to surrender Saif Al-Islam Al-Qadhafi to the Court, to return to his defence the originals of the documents seized in Zintan by the Libyan authorities from the former defence counsel for Saif Al-Islam Al-Qadhafi and to destroy any copies thereof.

The Pre-Trial Chamber decided to refer the matter of Libya's non-compliance to the Council in accordance with regulation 109 (4) of the regulations of the Court. The Office notes that the Council referred to that decision in resolution 2213 (2015). The Office continues to press Libyan authorities to comply and to consult with the Court in order to resolve any problems that may impede or prevent the execution of the requests. The Council is encouraged to do the same.

The Rome Statute provides for such consultation. In the light of the continuing cooperation that my Office receives from the Prosecutor-General's Office, the importance of constructive consultations to address problems that may impede or prevent the execution of those requests is even greater. My Office will do whatever it can to encourage and facilitate those consultations, with the goal of ensuring Libya's full cooperation with the Court.

In relation to the case of *Abdullah Al-Senussi*, the Office stated in its last report to the Council that no decision had been taken at the time to submit a request for review under article 19 (10) of the Rome Statute. As indicated, the Office had requested from Libya information on the national proceedings against Mr. Al-Senussi and had taken steps to access data and analysis from independent trial-monitoring sources.

The Office has since received information from the United Nations Support Mission in Libya on the domestic proceedings, as well as from the Libyan Prosecutor-General's Office and from independent civil society members. Based on that information and on an internal analysis of available video recordings of selected trial sessions received from United Nations Support Mission in Libya, the Office has concluded that it is not in possession of new facts that would fully satisfy it that the basis on which the case against Mr. Al-Senussi had previously been found inadmissible before the ICC has been negated. This position is taken on the basis of information currently available to the Office and is subject to change should we receive further reliable information that would warrant a reassessment of the finding. The Office will continue to monitor the situation in Libya and the domestic proceedings against Mr. Al-Senussi.

In conclusion, I will simply reiterate that there is more that we can and must all do to ensure peace and justice in Libya. I will do my part in the effort to end impunity, and I look forward to working with our partners in Libya and among Libyan civil society and grass-roots leadership, at the United Nations, among the Rome Statute States parties and with the Libyan Mission to the United Nations to bring those plans to fruition.

The President: I thank Prosecutor Bensouda for her briefing.

I shall now give the floor to the members of the Security Council.

Mrs. Kawar (Jordan) (*spoke in Arabic*): I would like to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), for her briefing today and for introducing the ninth report submitted to the Security Council pursuant to resolution 1970 (2011).

Jordan stresses its continued support for the International Criminal Court based on our conviction in the principles on which it was founded. The Court is a main pillar for the promotion of criminal justice, for putting an end to impunity for the perpetrators of the worst crimes and for the maintenance of international peace and security and the rule of law.

Jordan welcomes the continuing consultations between the Libyan Government and the Office of the Prosecutor of the ICC, as noted in the report. Jordan stresses that the Court's success in achieving its objectives mainly relies on consultations and the building of bridges of mutual cooperation. In that regard, we would like to call upon the Libyan Government to cooperate with the Court and to provide all possible material and logistical support to enable the Court to gather evidence, investigate incidents, and coordinate and exchange information on the arrest and surrender of individuals.

We would also like to highlight our appreciation of the huge challenges that face Libya today. It is important that Libya continues to work to establish the rule of law and to ensure the investigation of all criminal incidents for all crimes, without exception, in accordance with international judicial criteria and with the goal of establishing justice. That is particularly necessary since the number of displaced persons and asylum seekers has continued to increase due to the barbaric practices of murder, kidnapping, torture and arbitrary arrests, which all fall within the competence of the Court.

In conclusion, we would like to emphasize the importance of establishing criminal justice as a main pillar of stability in Libya. We also stress the need to respect the unity, sovereignty, territorial integrity and political independence of Libya, as well as its commitment to comprehensive dialogue, to the denunciation of violence and to support for the political process. We underscore the importance of providing full support to Libya's legitimate constitutional institutions and putting an end to all hostilities on Libyan territory. We also stress the necessity of the efforts of all Libyans in enabling the Libyan State to restore control over its entire territory and continue the democratic transition and political process.

Mr. Gimolieca (Angola): We thank Ms. Fatou Bensouda for her briefing and for presenting the ninth report on the implementation of resolution 1970 (2011). We commend and encourage the work of her team in a difficult environment, characterized by the continuing deterioration of the political and security situation in Libya. The progress achieved in the cooperation between the Libyan authorities and the International Criminal Court (ICC) is a positive sign and a prerequisite for the implementation of the memorandum of understanding, as well as the ongoing judicial cooperation.

We are deeply concerned by the information contained in the report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/28/51) presented at the twenty-eighth session of the Human Rights Council in March, on the human rights situation in Libya. The report documents cases of indiscriminate shelling, violations of international humanitarian law, summary executions, abductions and torture and attacks against the justice system, which is no longer functioning in most parts of the country.

Many of the recent violations and abuses of human rights fall under the jurisdiction of the ICC, and we support the investigations carried out by the Court. We also support the Human Rights Council resolution of 27 March (A/HRC/RES/28/30), on technical assistance and capacity-building in Libya, which also requests the High Commissioner to urgently dispatch a mission to investigate violations and abuses of international human rights law committed in Libya. It is clear that only peace and stability in Libya will permit the proper functioning of judicial institutions and holding

accountable criminals and violators of international human rights law.

We reiterate our support for the efforts of Special Representative of the Secretary-General Bernardino León to achieve a political solution to the crisis through an inclusive dialogue. We urge all of the Libyan parties to the crisis to accept an immediate and comprehensive ceasefire, so as to allow the political process to move forward constitutively.

In conclusion, we would like to express Angola's support for the implementation of resolutions 2213 (2015) and 2214 (2015), in particular the measures to address threats to peace and security in Libya, as the country's ability to face future challenges will ultimately depend upon a political settlement and stability.

Mr. Zhao Yong (China) (*spoke in Chinese*): I thank Ms. Fatou Bensouda for her briefing.

China is deeply concerned about the continuing deterioration of the situation in Libya. The most pressing task now is for the concerned parties in Libya to put national interests and the interests of their people first, reject violence, take an active part in a United Nations-led inclusive political dialogue and resolve their differences through negotiation and consultation. They must establish a national unity Government and achieve a political settlement that takes into account Libyan realities and the concerns of all of the parties, with the aim of restoring stability and security in the country. That is the precondition and the basis for achieving judicial justice in Libya.

China's position regarding the International Criminal Court is consistent and remains unchanged.

Mr. Simonoff (United States of America): I thank the Prosecutor of the International Criminal Court (ICC) for her briefing and efforts to promote accountability for atrocity crimes in Libya.

As we have heard, since the Prosecutor last briefed the Security Council on Libya in November (see S/PV.7306), the conflict has persisted, despite the ongoing United Nations-facilitated political dialogue, and has contributed to a disintegration of the rule of law, thus paralyzing the current Government's efforts to tackle human rights problems.

As the United Nations Support Mission in Libya recently stated, armed groups across political, tribal, regional and ideological divides have shown disregard for civilian life. The Prosecutor confirmed that the absence of stability and the rule of law has significant consequences for the work of the ICC. Many of the individuals and institutions with the most critical roles to play in exposing and preventing violence against civilians, including journalists, human rights defenders, judges and prosecutors, female activists and the country's human rights commission, have been singled out for intimidation and brutal violence for simply attempting to provide key services to the Libyan people. Other murders, such as the killing of prominent human rights defender Salwa Bugaighis, last June on the day of national elections, have a clear political purpose, even as it has been impossible to identify those responsible. The ongoing conflict has ravaged Libya's domestic justice institutions, which are essential to protect civilians and which play a key role in advancing respect for human rights. Escalating violence between Libyan political rivals make Libya, its citizens and its resources vulnerable to exploitation by violent extremists. Sexual violence also remains an issue of serious concern, as survivors struggle to access critical services and as those who work to deliver them face intimidation. All of those abuses highlight the stakes of the conflict and the urgent need to develop the strong institutions that Libya needs to protect its people.

The critical first step towards resolving the current crisis and restoring the rule of law and the protection of human rights, is the formation of a national unity Government through the United Nations-facilitated political dialogue. There can be no military solution. All parties should cease hostilities and work to create an environment conductive to inclusive dialogue.

We fully support the efforts of Special Representative of the Secretary-General Bernardino León, who will convene the next round of talks shortly. We urge the parties to seize this opportunity to finalize agreements on the formation of a national unity Government and arrangements for a comprehensive ceasefire before the holy month of Ramadan begins.

We call on all Libyan actors to take steps to ensure due process for detainees. That includes not only releasing any individuals held in unlawful detention, but also planning for the means to transfer detainees to State custody and rebuilding the judiciary's capacity to bring cases to trial.

We welcome the decision by the Human Rights Council at its March session to request that the Office

of the United Nations High Commissioner for Human Rights dispatch a fact-finding mission to investigate violations and abuses committed in Libya since the beginning of 2014. We welcome the Prosecutor's continuing calls on the parties to refrain from unlawfully targeting civilians, or, more generally, from committing atrocity crimes.

With respect to the finding of non-cooperation that the ICC transmitted to the Council, we welcome the continuing cooperation between the Libyan authorities and the Prosecutor's Office to further implement the memorandum of understanding concluded between Libya and the ICC in November 2013, on burden-sharing regarding the investigation and prosecution of former officials of the Al-Qadhafi regime.

At the same time, we reiterate our support of the Council's recent call for Libyan authorities to fulfil their obligation to cooperate with the ICC. We encourage the Libyan authorities to engage with the Court and the Council as appropriate to work to overcome implementation obstacles. We look forward to continuing to work with the other members of the Council, the organs of the ICC and all others that have a contribution to make in bringing this conflict to an end and restoring the rights of the Libyan people.

Ms. Mulvein (United Kingdom): I would like to thank the Prosecutor for her latest report on Libya and for her briefing today.

The United Kingdom remains deeply concerned about the ongoing conflict in Libya. The situation remains fragile and the fighting has continued. While we welcome the progress that has been made in the United Nations-led Libyan political dialogue, the United Kingdom condemns those on both sides who continue to use violence to attempt to achieve their political goals. Both sides in Libya need to demonstrate control over their armed forces in order to implement the ceasefire needed.

There can be no military solution to the current crisis in Libya. We urge those taking part in the United Nations talks to reach agreement on a national unity Government and a ceasefire as quickly as possible. We reiterate our support for resolutions 2213 (2015) and 2214 (2015) and the strong resolution on Libya that was adopted by consensus at the United Nations Human Rights Council on 27 March (A/HRC/RES/28/30).

The United Kingdom strongly shares the Prosecutor's concerns about grave crimes committed by armed groups and militias in Libya. As highlighted in the Prosecutor's briefing, the ongoing violence and instability have allowed extremists, including those purportedly claiming allegiance to the Islamic State in Iraq and the Levant, to emerge. We strongly condemn their savage and cowardly attacks.

The United Kingdom is particularly concerned by reports that indiscriminate gunfire, artillery and air strikes have killed and injured civilians and damaged civilian infrastructure, including schools and hospitals. Civilians on both sides of the conflict have been deliberately intimidated and targeted, including the forcibly displaced Tawergha tribe. Human rights defenders, social activists, journalists and the judiciary have all been intimidated, abducted or murdered. We support the Prosecutor's call to all parties in the conflict to refrain from targeting civilians or civilian objects. We join the Prosecutor in urging all parties to refrain from committing atrocities and to take active measures to prevent the commission of such crimes.

The treatment of detainees in Libya also remains deeply concerning. In April 2014, the United Nations Special Mission in Libya (UNSMIL) reported that 10,000 people were being held in detention. UNSMIL cited ongoing reports of torture and deaths in custody, with perpetrators including judicial police and militia groups. Reports indicate that detentions without trial and arbitrary arrests incresed as the political and security crisis worsened in 2014. In some areas, including Derna and Benghazi, and particularly when dealing with cases concerning conflict-related detainees, judges, prosecutors and judicial police were intimidated, detained or assassinated. We call on the Libyan authorities to ensure due process and fair trial rights for all detainees.

We welcome the fact that the Prosecutor and her Office continue to receive cooperation from the Libyan Prosecutor-General's Office. The United Kingdom wishes to underline the importance of continuing judicial cooperation between the Office of the Prosecutor and the Libyan authorities in order to tackle impunity for atrocities. We thank the Prosecutor for her briefing on the cases against *Saif Al-Islam Al-Qadhafi* and *Abdullah Al-Senussi*. We note that her Office will continue to monitor the situation in Libya and its impact upon the domestic proceedings against Mr. Al-Senussi.

With regard to the case against *Saif Al-Islam Al-Qadhafi*, the United Kingdom recalls that in March the Council adopted resolution 2213 (2015), which

reiterates that Libya is obliged to cooperate fully with, and provide any necessary assistance to, the ICC and the Prosecutor. We note the decision of the ICC Pre-Trial Chamber of 10 December 2014, which found that Libya had failed to comply with requests for cooperation by the ICC, including the request to surrender Mr. Al-Qadhafi. The United Kingdom calls on Libya to surrender Saif Al-Islam Al-Qadhafi to the ICC and to consult with the Court to address any problems that might impede his transfer to The Hague.

The United Kingdom urges the Libyan Government to cooperate fully with the ICC as part of efforts to combat impunity for the crimes that have been committed and continue to be committed in Libya. Libya's future should be built upon a firm foundation that protects and promotes human rights for all. In order to build sustainable peace, it is necessary to tackle impunity for atrocities. Perpetrators of war crimes and crimes against humanity must be held to account for their actions. The Libyan people deserve to see justice.

Mr. González de Linares Palou (Spain) (*spoke in Spanish*): I appreciate the presence of Ms. Bensouda here today, as well as the introduction of her report.

We must recall that, for the second time in its history, on 26 February 2011, the Security Council decided to refer a situation — specifically the situation in Libya since 15 February 2011 — to the Prosecutor of the International Criminal Court (ICC) (see S/PV.6491). Referrals by the Council to the ICC constitute an acknowledgement of the importance attached by the Council to justice, accountability and the fight against impunity. We all know that international peace and security are based on respect for the rule of law. By referring this case — and let us not forget that we did so unanimously — the Council rose to the challenge of the circumstances in the fight against impunity and stood in favour of justice. Nevertheless, a single referral is not enough. Libya needs the Council's support through consistent and appropriate follow-up.

I have three issues to address; first, the situation in Libya; secondly, the state of cooperation between Libya and the Court; and, thirdly, I will make some remarks and pose a question regarding a proposal made by Ms. Bensouda.

With regard to the situation in Libya, we cannot help but express our deep concern at the information we have on the situation. The ninth report of the Prosecutor, the report of the Secretary-General dated 26 February (S/2015/144) and the Human Rights Council's resolution of 27 March (A/HRC/RES/28/30) all sadly attest to the deteriorating situation in Libya, where serious violations of human rights and international humanitarian law continue to take place. Spain unequivocally condemns attacks perpetrated by all parties to the conflict against the population and civilian targets, including arbitrary detentions, torture, extrajudicial executions, assassinations, abductions, the denial of due process, and the persecution of immigrants, women activists, journalists, human rights defenders, attorneys, judges and prosecutors. We condemn just as forcefully the barbaric acts committed by the Islamic State in Iraq and the Levant, or Daesh, and the groups that have sworn allegiance to them, acts that, as the Prosecutor has informed us, may constitute crimes under the Court's jurisdiction. We should also make clear how worried we are about the extremely high numbers of displaced persons, such as the residents of Tawergha.

Spain believes strongly that there can be no military solution to the crisis in Libya, and only a political settlement between the parties can ensure the stability the country needs. We reiterate our call to the parties to refrain from violence and to participate in a spirit of reconciliation in dialogue under the auspices of the United Nations, with a view to forming a Government of national unity. Once again, we support those efforts and those of Mr. Bernardino León, Special Representative of the Secretary-General, to agree on a Government of national unity capable of ensuring respect for the rule of law, justice, freedom and the rights of all citizens. Whatever happens, all the parties should understand that they will be held accountable for their actions.

Concerning the relations between Libya and the International Criminal Court, we were pleased to hear about the constructive dialogue being held between the Prosecutor and the Libyan authorities, including as it relates to the implementation of the memorandum of understanding. We welcome the update on the cases being brought against *Saif Al-Islam Al-Qadhafi* and *Abdullah Al-Senussi*. With regard to Al-Qadhafi, we note the decision of Pre-Trial Chamber I, which found Libya non-compliant with the Court's request to surrender Al-Qadhafi and return seized documents to his defence counsel. In our view, Libya must fulfil its obligations to the ICC and the Council, whose resolutions 1970 (2011) and 2174 (2014) must be abided by. Full cooperation with the Court is essential. The Government of Libya must understand that there can be no end to the violence if there is no end to impunity.

We support the Court's efforts to begin consultations immediately concerning the Government of Libya's failure to cooperate.

With regard to the second case, that of *Abdullah Al-Senussi*, Spain understands that a decision on the inadmissibility of the case amounts to a vote of confidence in the Libyan justice system. We view that positively and hope it translates into the holding of a fair trial with all the guarantees of due process, and we await with interest any information from the Prosecutor in that regard. Libya has frequently reiterated its commitment to bringing justice to the victims, and for that the Government should have the support of the international community. In that regard, we believe we should consider establishing a contact group on justice capable of giving practical help to the Libyan authorities and the judicial system. In other words, we support Prosecutor Bensouda's proposal to create such a contact group, and I would like to know what her views are on more specific details of its composition and nature, and above all the kind of assistance it would provide to the Libyan authorities.

In conclusion, I reiterate our gratitude for Prosecutor Bensouda's work and for the tireless efforts of the International Criminal Court to deal with these enormously difficult cases, prioritize justice and put an end to impunity.

Mr. Stehelin (France) (*spoke in French*): I would like to thank Prosecutor Bensouda for her ninth report and for her briefing, and to affirm France's support for the Prosecutor, and for the International Criminal Court (ICC) as a whole.

France reaffirms its commitment to resolution 1970 (2011), which referred the situation in Libya to the Prosecutor of the International Criminal Court, thereby saving a considerable, indeed incalculable, number of human lives. The resolution also constitutes a symbol of the Council's support to an institution whose noble mission is to ensure that, as the preamble to the Rome Statute states, the most serious crimes of concern to the international community as a whole do not go unpunished.

A careful perusal of the Prosecutor's ninth report makes it clear that there are three ways in which the Security Council should continue to work to ensure that Libya, which is currently going through a period of instability and uncertainty whose chief victims are the Libyans themselves, can get back on the road to peace and justice. The first is by encouraging the Libyan authorities to continue above all to cooperate with the ICC. That cooperation is crucial to ending a long period of impunity in Libya and enabling the Court to fulfil the mandate entrusted to it by the Statute and the Council, and it will help to build a judicial system in Libya that respects the rule of law.

Acting in accordance with the Rome Statute and resolution 1970 (2011), Libya has requested that Mr. Saif Al-Islam Al-Qadhafi and Mr. Al-Senussi be tried in Libya, based on the principle of complementarity. The Court has jurisdiction to try Mr. Al-Qadhafi and has requested that he be surrendered to it. However, it found the *Abdullah Al-Senussi* case inadmissible, and thus amenable to Libya's demands. At this point, the Prosecutor's report believes that it would not be useful for the Court to undertake a new investigation of those decisions. Libya must comply with the judges' decision on this key issue, as the Pre-Trial Chamber recalled in its decision of 10 December 2014 and as the Prosecutor's report also emphasizes. France therefore calls on Libya to continue its consultations with the ICC in order to remove obstacles to implementing the decision to surrender Mr. Al-Qadhafi to the Court.

France is pleased that in its resolution 2213 (2015), of 27 March, the Council heard the Court and the Prosecutor's message loud and clear, noting the decision of the Pre-Trial Chamber dated 10 December 2014 and emphasizing strongly the importance of the Libyan Government's full cooperation with the ICC and the Prosecutor. The Council also called on the Libyan Government to cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor as required by resolution 1970 (2011). We are pleased to note that, despite the instability prevailing in Libya, the Office of the Prosecutor was able to talk to its Libyan counterpart and implement the memorandum of understanding signed in November 2013, on sharing tasks between the Court and the Libyan authorities. France urges Libya to continue those efforts to share information and cooperate.

The second task is to ensure that the multiple crimes committed since 15 February 2011 do not go unpunished. In that context, France would like to highlight the section in the report that emphasizes that crimes attributable to members of Daesh fall prima facie within the jurisdiction of the Court on the basis of resolution 1970 (2011). France, which recently organized an open debate in the Security Council on

the situation of victims of ethnic and religious violence in the Middle East (see S/PV.7419) and, along with other members of the Council, urged for a referral to the ICC, can only encourage the Prosecutor to continue investigating such acts, some of which may constitute war crimes or crimes against humanity.

The third and last step is to provide practical support to the Libyan authorities, particularly in the area of justice and rebuilding the rule of law. On this last point, the Council remains convinced that the only solution to the Libyan crisis is a political one. The efforts of Mr. Bernardino León, Special Representative of the Secretary-General, and of the United Nations Support Mission in Libya in general, to achieve a ceasefire and an inter-Libyan agreement can contribute to peace and stability and to establishing the rule of law in Libya. For that it is essential that the Council continue to provide support to United Nations mediation efforts, and in particular to establishing a Government of national unity as soon as possible. That requires that we collectively send a strong messages to the parties involved and consider using sanctions against provocateurs.

Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We would like to thank the Prosecutor of the International Criminal Court, Ms. Fatou Bensouda, for presenting the ninth report on the situation in Libya in accordance with resolution 1970 (2011) and for the work she has undertaken with a view to achieving justice for this brotherly African country.

The Bolivarian Republic of Venezuela, as a State party to the International Criminal Court (ICC) since 2002, champions the strengthening of the Court's institutional framework and its efficiency. We therefore encourage those countries that are not States parties to the Rome Statute to accede to that instrument in order to strengthen the rule of law at the national and international levels. Cooperation is an essential aspect in achieving the objectives of the Court, which requires the commitment of States to implementing its decisions and supporting its work. Strengthening the international criminal justice system, represented by the ICC, requires that States parties refrain from signing immunity agreements with countries that are not parties to the Rome Statute so as to exclude from the Court's jurisdiction individuals who are possibly responsible for committing crimes established under the Statute. This practice undermines the spirit and purpose of the Statute.

Venezuela is concerned that some trials have been carried out very quickly owing to political reasons, as has been the case in Libya. We are also concerned about the intervention of the Security Council, through its referral of cases over which the International Criminal Court has jurisdiction. That highlights the politicization of decisions on which the international community should act. It is no secret that there have been many examples of cases recently that have been said to fall outside the jurisdiction of the Court, despite evidence that they fall under the ICC's jurisdiction, and on which no action has been taken, such as what happened in Iraq, Libya and Palestine. In this sense, one could infer that if the ICC continues to act in this manner, the its autonomy, independence, objectivity and impartiality — principles that should prevail in the ICC's work — could be affected. There can be no double standards for legal issues. In that connection, ICC cases should not be settled outside the framework of the Court; they should be resolved within the institutional structure of the Court with the participation of the members of the Assembly of States parties to the Rome Statute.

We are concerned about the deterioration of the political and security situation in Libya, as referred to in the report, which clearly describes the complex situation of displaced persons, attacks on civilians, illegal detentions, torture, disappearances, killings, persecution and abuse, as well as the obvious legal delays and violations of basic human rights evidenced by the fact that there are approximately 8,000 political detainees. Those are indications that violations of international humanitarian law and human rights continue in the country.

That atmosphere of general insecurity has affected the work of human rights activists, lawyers, judges and prosecutors, who for security reasons have not been able to pursue investigations that fall within their remit, including the prosecutions of Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi. Since he was captured in November 2011, Saif Al-Islam has been in the custody of the Zintan tribe to ensure his physical safety because of the danger inherent in his transfer to the capital or to any party claiming to represent the interests of the Libyan people. These disturbing events underscore the absence of the rule of law.

The country has not yet regained its institutional footing and it has not been able to establish new institutions. Therefore, we cannot speak of the application of justice in a country where the existing norms do not guarantee citizens equal treatment under the law. In this regard, we call on the Libyan authorities to fully cooperate with the International Criminal Court and the Office of the Prosecutor by delivering Saif Al-Islam to the Court so that he may remain in its custody, thereby guaranteeing his protection and his right to a fair trial.

We condemn the presence and activities of terrorist groups, such as Al-Qaida, the Islamic State in Iraq and the Sham and associated groups, which have expanded their presence in Libya owing to the institutional collapse in the wake of the military intervention and war in 2011. As a result, those terrorist groups have focused on carrying out attacks on ethnic and religious minorities, as evidenced in the executions of Egyptian, Ethiopian and Eritrean citizens; indiscriminate attacks on civilians; and kidnappings and disappearances of those who think differently from these terrorist groups. The perpetrators of these heinous crimes must be prosecuted and we hope that the ICC has all the support it needs to act quicly. Venezuela supports the efforts of the Office of the Prosecutor to ensure that justice and accountability prevail in Libya and that the authorities promote the establishment of a comprehensive and effective justice system to put an end to the persistent impunity in this country.

Finally, we believe that an inclusive political dialogue and the establishment of a national unity Government are the basis for establishing the rule of law with strong judicial institutions that ensure the promotion and respect of human rights, including international standards of due process, the right to defence, the presumption of innocence and fundamental legal guarantees. In this regard, we support the efforts of Special Representative of the Secretary-General Bernardino León to reach a political solution and urge all parties concerned work to ensure that peace returns to this brotherly African country. That is an indispensable requirement for building the institutional framework in a country that has been ravaged by war since 2011.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): We have taken note of the ninth report on the situation in Libya. We thank Ms. Bensouda for her participation in this meeting and her briefing.

Following the destruction of its State institutions in 2011, the situation in Libya continues to be a source of multifaceted threats. It is enough to mention the vivid spectre of terrorism, arms trafficking and the unprecedented growth of the criminal business of smuggling migrants across the Mediterranean Sea. The breakup of the State has reached the point at which the Libyan conflict has become a constant, roaring hotspot on the global map of political instability. Under the auspices of the United Nations, significant efforts have been made to establish inter-Libyan dialogue aimed at finding a peaceful solution to the crisis. That goal seems almost impossible to achieve, but we hope that the formula for a solution that would ensure the end of violence and general stability will be found.

In this vulnerable situation, the use of the international criminal justice mechanism should be carefully considered and calibrated, both in terms of its substance and timing. The idea of establishing new formats for dialogue on the topic of Libya with the participation of the International Criminal Court (ICC) should be considered not only from the point of view of its added value, but also in conjuction with efforts to establish national dialogue in the country.

We feel that the reports on the situation in Libya are becoming increasingly descriptive, akin to the materials issued by monitoring missions. Almost nothing is said in the report about the planned procedural steps. In the past, the Court initiated proceedings against Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi and issued warrants for their arrest in a very short period of time — just four months after the Council's referral of the situation to the Court. Since then, however, no progress has been noted, although the former Al-Qadhafi supporters are not the only parties to have committed crimes in Libya that may fall under the Rome Statute. We think that the experience of using the ICC to address the situation in Libya in terms of ensuring justice, encouraging prevention and contributing to national reconciliation cannot for the time being serve as an argument in support of proposals to refer other cases to the Court.

We note a completely new aspect in the report, namely, its mention of the crimes committed by the Islamic State in Iraq and the Levant (ISIL) and affiliated groups. The rising level of terrorist threat and the strengthening of the capacity of ISIL in Libya are both a cause for deep concern. An appropriate response to terrorist crimes in which efforts are made

to bring perpetrators to justice could be a significant contribution to the international community's fight against this scourge. In that regard, we hope to receive more detailed information on the actions the Prosecutor's Office plans in this regard.

Mr. Olguín Cigarroa (Chile) (*spoke in Spanish*): I thank the Lithuanian delegation for convening today's meeting. We welcome the presence of the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, as well as her presentation of the ninth report of the Court pursuant to resolution 1970 (2011).

As we have stated on previous occasions, Chile is aware of the multidimensional difficulties that remain in Libya and which are detailed in the report. In the face of these difficulties, we echo the call of the Court for all parties involved in the conflict to refrain from attacking civilians and committing serious crimes that continue to be reported. We also call on the Libyan Government to work with the Council and the international community to develop effective cooperative strategies to prevent war crimes from being committed and address the problems of internally displaced persons.

We insist on the need to strengthen efforts deployed to find an inclusive political solution aimed at strengthening the institutions of Libya, the rule of law and human rights, including the rights of women, children and persons belonging to vulnerable groups. It is also essential for the Government to fully cooperate with the ICC and its Prosecutor. All of this should be done in accordance with the provisions of resolution 1970 (2011) and the decisions of the Pre-Trial Chamber dated 10 December 2014 and pursuant to resolution 2213 (2015), which urges the Libyan Government to fulfil the obligations incumbent upon it under international law.

Once again, we acknowledge the work of the Prosecutor in investigating the crimes committed since February 2011 and urge her to continue in this noble task. On this point, we view the ties of cooperation and assistance that are being established between the ICC and the Office of the Libyan Prosecutor-General as a positive signal.

We think that, along the same lines, cooperation between the Government and the United Nations Support Mission in Libya with the International Criminal Court is essential to putting an end to impunity. It is in this spirit that — taking up the idea of establishing an international contact group on judicial issues mentioned here in the Council — we particularly welcome the idea of including in the group prosecutors of various nationalities who could provide material and legal support to Libya. My country, Chile, is ready to provide support and cooperate actively in this initiative, bearing in mind the experience we have to share in the area of transitional justice.

Chile will continue to work to establish a closer relationship between the Security Council and the ICC, especially with regard to the two cases that the Council has referred to the Court and the challenges related thereto. Clearly, the referrals do not close the matter by themselves; rather, it is essential that the Council ensure effective monitoring and support the Court's judicial efforts in these cases in compliance with the mandate it has been given.

The issues raised by the Prosecutor on insecurity and lack of funding that affect the Court's work should be duly addressed by the Council. We stress the importance of ensuring objective accountability for all crimes committed by the parties during the events that occurred in Libya. I would like to reiterate the support of my delegation for the work of the Court and of the national judicial bodies. Lastly, I express our full readiness to work in support of initiatives that advance the common goals of peace, security and justice.

Mr. Taula (New Zealand): We also thank Ms. Bensouda. New Zealand appreciates this opportunity to engage with the Prosecutor on the situation in Libya.

We share the deep concern expressed about the continued violence and political crisis in the country, and the impact of the crisis on Libya's neighbours, the States of the Sahel and the wider region. The Prosecutor has highlighted that atrocities continue unabated. We also share the Prosecutor's deep concern about grave crimes against civilians in Libya committed in the name of the Islamic State in Iraq and the Levant. The Security Council has spoken as one about its commitment to work with Libya to combat this terrorist threat and to hold those responsible for such attacks accountable.

While the urgent political and security challenges in Libya are uppermost in the Security Council's mind, we pursue them with a longer-term vision. A successful conclusion to the United Nations-led political process is central to creating the conditions necessary for a lasting peace in Libya. To ensure sustainable peace, the international community must partner with Libya and support it in rebuilding justice institutions and

strengthening the rule of law. As Ambassador Dabbashi has recognized repeatedly, accountability for past crimes and effective transitional justice are central to these efforts.

The present violence and absence of State control in Libya makes the pursuit of justice particularly difficult. We recognize the enormous strain this puts on the Libyan authorities, which is why it is important for the Council and the United Nations — through the United Nations Support Mission in Libya and Special Representative of the Secretary-General León — to work with the Libyan authorities to support their efforts.

Despite the aforementioned challenges, we are pleased that the Prosecutor continues to receive cooperation from the Libyan Prosecutor-General and that the memorandum of understanding is still being implemented. This groundwork should help to ensure that the cases against Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi proceed as quickly as possible and to support Libya in meeting its obligations under the Rome Statute and resolution 1970 (2011). It is important — not only for meeting Libya's obligations, but for the credibility of the final judgment — that domestic proceedings against Al-Senussi progress expeditiously and in line with due process requirements. As for Saif Al-Qadhafi, we note the Pre-Trial Chamber's finding on non-compliance in December and join the Prosecutor in encouraging Libya to reach out to the Court to resolve any issues that prevent it from surrendering Al-Qadhafi.

We appreciate the Prosecutor's consistent raising of the plight of internally displaced persons, in particular the acute situation of the Tawerghans, who have not yet been able to return to their land. We welcome the framework agreement struck between the municipalities of Misrata and Tawergha on the margins of the United Nations-facilitated talks. A lasting agreement that assists the return of the Tawerghans to their land after four years would send an important message to other groups in Libya that reconciliation, including at a national level, is achievable.

We recognize that the ability of the Prosecutor to expand investigations into other alleged crimes is hampered not only by the security situation but also by a lack of resources. The Council needs to think seriously about what it can do to support the mandates it gives to the Court.

The Security Council should not approach these biannual briefings as simply a compliance exercise. It is a chance to share constructive, concrete ideas for ways the Council, the wider United Nations system and international partners can support Libya's efforts to bring justice to victims. In this regard, we appreciate the Prosecutor's suggestion that a judicial contact group be established to better coordinate the provision of material and legal support to the Libyan authorities.

I wish to end by again recognizing the presence here today of the Libyan Permanent Representative, which we view as a testament to Libya's determination to maintain a positive dialogue with the Court.

Mr. Adamu (Nigeria): We too thank Prosecutor Bensouda for her presentation of the ninth report of her Office to the Security Council pursuant to resolution 1970 (2011).

On matters pertaining to cooperation, we are pleased to note that the Libyan Prosecutor-General's Office has been cooperating with the International Criminal Court (ICC) in the key areas identified in the report under consideration. We welcome the successful outcome of the working meetings held in November and December 2014. It is our expectation that this will strengthen judicial cooperation between the ICC and the Libyan authorities, and we encourage the two parties to continue to work together with a view to ending impunity in Libya.

Concerning the case against Saif Al-Islam Gaddafi, we note that the decision of the Pre-trial Chamber upheld by the Appeals Chamber as to the admissibility of his case. Libya as a State party to the Rome Statute has an obligation to surrender him to the Court. In the case of Abdullah Al-Senussi, we note the conclusion of the Court that there are currently no new facts emerging from his ongoing trial in Libya to support a reversal of the Court's decision that the case is inadmissible. We welcome the decision of the Court to continue to monitor the case against Mr. Al-Senussi and its concern about how it may be affected by the situation in Libya.

With regard to ongoing investigations of crimes committed by militias and armed groups in Libya, we are concerned that progress has been hampered by the situation in Libya and lack of resources. We appreciate the difficulty presented by the challenging situation in Libya to the work of the Court and call on the people of Libya to embrace dialogue and work together for the establishment of a Government of national unity.

This, we believe, is a critical first step in stabilizing the country and ending the impunity of militias and armed groups.

Nigeria notes with deep concern the crimes allegedly committed by the different parties in Libya since February 2011. This can be attributed in part to the current power and security vacuum in the country, which has created space for terrorist groups and militias to operate virtually unrestricted. We condemn in the strongest terms the brutal killings by the Islamic State in Iraq and the Sham and other terrorist groups. We also condemn the indiscriminate attacks on residential areas, car bombings and suicide attacks targeting civilians. Those committing grave crimes such as torture, illegal detention, abductions and executions must be held accountable. We welcome the commitment of the Libyan authorities to bring perpetrators to justice and encourage them to continue to work with the ICC to that end.

Mr. Ibrahim (Malaysia): I too should like to thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court (ICC), for presenting her ninth report on Libya to the Security Council. Since her last briefing to the Council, in November 2014 (see S/PV.7306), the political and security situation in Libya has continued to deteriorate. Malaysia remains deeply concerned at these developments.

The current, unstable situation in Libya has proven to be a breeding ground for more crimes to be committed every day by various militias and armed groups in the country, in particular groups that have pledges allegiance to the Islamic State in Iraq and the Sham/Da'esh. Over the past few months, we have seen brutal executions of civilians, unrestrained attacks on public installations and indiscriminate bombings of heavily populated areas, all of which have led to senseless civilian casualties. At the same time, the Prosecutor's report also pointed out the ongoing abductions, unlawful detention, torture and execution of combatants and civilians alike.

The perpetrators of these grave atrocities must be held accountable. The culture of impunity, if allowed to prevail any further, would only mean the loss of further innocent life. Those who are fortunate enough to escape the ill fate have fled and will continue to flee their homes, resulting in mass displacement. Malaysia is particularly alarmed by the total number of displaced persons recorded by the end of December 2014, which was reported to have increased eight-fold compared to before the 2014 crisis. We were equally dismayed to learn of the increasing number of migrants who have perished trying to cross the Mediterranean in the attempt to escape the conflicts in their home countries.

Malaysia is of the view that the efforts of the Libyan authorities to demonstrate compliance with the relevant Security Council resolutions would go a long way towards building trust and confidence in their commitment to holding to account individuals and parties responsible for grave violations of international human rights law and international humanitarian law.

Moving forward, we acknowledge that the ability of the Libyan Government to continue its cooperation, as well as the level and effectiveness of such cooperation, will depend largely on the stability of Libya. Towards that end, Malaysia reaffirms its commitment to assisting and cooperating with all interested parties and stakeholders in effecting improvements to the current situation in Libya through the Security Council. Malaysia takes this opportunity to reaffirm its full support for the ongoing efforts of the Special Representative of the Secretary-General in promoting an inclusive political process with all relevant parties in Libya.

Mr. Cherif (Chad) (*spoke in French*): I join previous speakers in thanking Ms. Fatou Bensouda, Prosecutor of the International Criminal Court, for presenting her ninth report on Libya.

We note that, since the last report of the ICC was submitted to the Security Council (see S/PV.7306), the political and security situation in Libya has hardly improved. On the contrary, it has seriously deteriorated, as has the human rights situation. This situation has not allowed the Court to effectively carry out its activities in the country. The Libyan authorities for their part, while they have not refused to cooperate, do not facilitate progress in this regard.

With regard to the crimes committed in 2011, the trials of the principal perpetrators — Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi — have not yet begun, either at the ICC or in the Libyan courts, since the issuance on 27 June 2011 of their arrest warrants. While we recognize the complexity of the situation in Libya, we encourage the national authorities to respond favourably to the Court's request regarding these two cases, calling for them to uphold the commitments undertaken in the protocol of understanding signed in November 2013. We welcome the ongoing cooperation

between the Office of the Prosecutor-General in Libya and the Court, and we welcome the commitment and professionalism of national investigators, who continue to work under very difficult conditions.

Since the last report of the Prosecutor, in November 2014, approximately 8,000 persons, including many civilians, have remained in detention without trial under difficult conditions despite the calls made by the Security Council. Tens of thousands of newly displaced persons have been recorded, and cases of serious human rights violations, such as abductions and torture, have been reported. We condemn the persecution of members of civil society, human rights defenders, jurists and journalists, who have courageously denounced the senseless violence.

The growing terrorist presence in Libya has led to an increase in and worsening of crimes committed for religious reasons against foreigners. In that regard, we strongly condemn the recent savage executions of Egyptian and Ethiopian nationals by the Islamic State in Iraq and the Levant. The perpetrators of those crimes must be identified and brought to account for their crimes.

Moreover, we express our serious concern with regard to the grave violations committed against thousands of migrating African labourers. They are sometimes taken hostage, often persecuted and robbed of their belongings, or executed without any form of trial. Those migrants also fall victim to all kinds of traffickers who swindle them and unscrupulously pile them, women and children included, into makeshift boats, the tragic wrecks of which have become an almost daily occurrence. In any event, the international community must mobilize to help the Libyan authorities put an end to the massive violations of human rights and international humanitarian law and to impunity.

In conclusion, we reiterate our full support for the negotiations taking place in Skhirat in Morocco under the auspices of the United Nations, and hope that the Libyan parties will quickly be able to reach a final agreement on the formation of a national unity Government able to put an end to the hostilities. Without peace, it will be difficult to deliver justice.

The President: I shall now make a statement in my capacity as the representative of Lithuania.

I thank the Prosecutor of the International Criminal Court (ICC), Ms. Fatou Bensouda, for preparing the ninth report to the Security Council and for her briefing on the work of her Office in relation to its ongoing efforts to ensure accountability for serious international crimes in Libya.

Lithuania is concerned that since the last time the Prosecutor briefed the Council (S/PV.7306), the security situation in Libya has sharply deteriorated. Indiscriminate attacks in heavily populated areas, the abduction of civilians, torture, unlawful killings and arbitrary executions with mass beheadings testify that violations of international humanitarian law and abuses of human rights continue to be committed in Libya.

The growing impact of terrorist groups in Libya, particularly those affiliated with Daesh, is terrifying. Alleged executions by those groups, including the mass beheading of 21 Egyptians in February and dozens of Ethiopian and some Eritrean nationals in April, may constitute crimes against humanity and war crimes under the Rome Statute. Such an environment clearly cannot be conducive to ensuring accountability in the country.

Especially worrisome are the growing threats to human rights defenders, media workers and journalists. Last year, eastern Libya was among the five most dangerous areas for journalists worldwide; 97 journalists were attacked, 29 kidnapped and four killed. We encourage the Prosecutor and her Office to closely monitor that situation, as some of those crimes could fall within the jurisdiction of the International Criminal Court.

Lithuania notes with concern the slow progress that has been made on the issue of detainees in Libya. The Government of Libya has to redouble its efforts to put an end to that situation, release the detainees against whom there is no evidence, and refer cases where there is evidence to the national courts, in accordance with national legislation.

Lithuania thanks the Prosecutor for her update on the cases against Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi. We continue to urge Libya to uphold its clear legal obligation and surrender Saif Al-Islam Al-Qadhafi to the custody of the ICC. We are aware that national proceedings against Saif Al-Islam Al-Qadhafi resumed last fall; however, Libya should ensure that that trial does not undermine its responsibility and obligation to cooperate with the Court.

Despite the fact that Libya still faces numerous challenges in the area of strengthening rule-of-

law institutions, a constructive dialogue continues between the Offices of the ICC Prosecutor and the Libyan Prosecutor General on further implementation of the memorandum of understanding. International cooperation is essential to achieving a genuine peace in Libya, building a strong and effective judicial system and ensuring respect for its citizens' human rights. We support the creation of a contact group on justice, as suggested by the Prosecutor, and believe that such a group could provide particular support in fighting impunity at the national level.

Allow me to conclude by expressing our strong support for the ICC and the work of the Office of the Prosecutor, and to reiterate that the United Nations has to ensure that adequate resources are made available for the investigation of the situations referred to the Court by the Security Council. The fight against impunity is not an obligation exclusive to the States parties to the Rome Statute; it is the obligation of the entire international community. Therefore, the commitment to provide the Court with the necessary recourses has to be fulfilled.

I now resume my functions as President of the Council.

I give the floor to the representative of Libya.

Mr. Dabbashi (Libya) (*spoke in Arabic*): At the outset, I am pleased to congratulate you, Madam, and your delegation on assuming the presidency of the Security Council for this month. I wish you every success.

I also wish to thank Ms. Fatou Bensouda, the Prosecutor of the International Criminal Court (ICC), for her important briefing. The Libyan authorities understand that they are responsible for combating impunity and achieving justice throughout Libyan territory. They also realize that the role of ICC is an auxiliary one within the framework of the principle of complementarity between the national and international judiciary systems.

At this time, I would like to express our satisfaction with the cooperation and meetings held between the Office of the Prosecutor of the ICC and the Prosecutor General of Libya, and the emphasis the two parties have placed on implementing the memorandum of understanding on burden-sharing signed between them. I welcome the proposal of the Prosecutor concerning the establishment of an international contact point on justice to support the judiciary authorities in Libya. We will consult with interested States on that matter. By the same token, I emphasize the readiness of the Libyan mission to the United Nations to facilitate the travel of officials from Misrata and Tawergha to New York should the Security Council find it useful for the resolution of the issue of internally displaced persons.

Libyan judiciary authorities are determined to fulfil their commitments despite the difficult circumstances faced by our judiciary, particularly the Office of the Prosecutor General and judges, given the state of insecurity. That insecurity arises from the control by outlawed militias of the capital since August 2014 and their shared authority over civilian areas in the absence of any political authority able to issue orders or force them to respect the law and human rights. This situation led, inter alia, to delaying the trials of officials of the Al-Qadhafi regime, including Saif Al-Islam Al-Qadhafi and Abdullah Al-Senussi.

Despite the difficult circumstances, the Libyan authorities have proven their effective and practical ability to guarantee the conduct of fair trials for those accused of the most serious crimes perpetrated in Libya since February 2011. They have made progress in the investigation proceedings undertaken by the Prosector General's Office and the staging of public trials, at which all the guarantees for the accused enshrined in national legislation and international instruments have been taken into consideration. Militia control of prisons where the accused officials from the previous regime are incarcerated, involving one case in particular in Tripoli and Misrata, and the impossibility of bringing that case before the Criminal Chamber, have necessitated a delay in the resumption of the trial sessions until the rights of the accused can be protected in accordance with international law. We hope that legitimate authority can be restored over the capital so that these trials may be resumed in a normal environment.

In that connection, the Parliament and the interim Government reiterate their commitment to restoring the institutions of the State to the capital, Tripoli, extending the authority of the State to the detention centres and jails currently under militia control, and adopting the measures necessary for the resumption of fair trials for the accused, in accordance with international instruments, as soon as possible. They emphasize their resolve to achieve criminal justice and to prosecute perpetrators of crimes, including those responsible for destroying private and public property and installations and for breaching human rights in Libya

since 15 February 2011, regardless of the identity of the victim or the perpetrator. They are also determined to ensure reparations for the victims for the harm done to them, to achieve national reconciliation and to return refugees and evacuees to their homes.

While the Libyan authorities commend the interest shown by the ICC in consolidating the principle of accountability, achieving criminal justice and pursuing the perpetrators of crimes of humanity and other serious crimes, they emphasize the need to uphold the exercise of their legal jurisdiction and judicial mandate in trying the accused, in accordance with the provisions of national laws and international instruments, including the Rome Statute through which the ICC was established.

We reiterate that Libya's exercise of its national judicial jurisdiction does not mean it will not respect the decisions of the judges of the ICC or cooperate with the Court. It means that we will continue to apply our national judicial proceedings as we establish the necessary procedures with the ICC to convince it to amend those decisions that we disagree with. Since 2011, the Libyan authorities have been eager to promote cooperation with the Court as a complementary organ supporting the Libyan judiciary. Numerous meetings have been held between the Prosecutor of the Court and the General Prosecutor of Libya. Important proceedings have been adopted to enshrine cooperation and complementarity between the national judiciary and the judges of the ICC.

Undoubtedly, the end goal of these trials is to combat impunity and achieve justice. Conducting proceedings and trials in Libya would consolidate that goal at the national level, since these crimes were committed there. It is easy to bring the case, evidence and witnesses there, in addition to the fact that the case of Saif Al-Islam Al-Qadhafi includes a number of officials of the previous regime. However, partitioning the case may spoil the evidence and mislead the investigations. Conducting trials in Libya generates a sense of justice, and public opinion will be the cornerstone of national reconciliation, security and stability in the country. The Libyan authorities reiterate their hope that the ICC will acknowledge the Libyan judiciary's jurisdiction in trying Saif Al-Islam Al-Qadhafi, just as it acknowledged its jurisdiction in trying Abdullah Al-Senussi.

In conclusion, the Libyan authorities look forward to further support of the Security Council for the creation of conditions conducive to implementing and fostering the rule of law in Libya as soon as possible. We hope for further positive cooperation with the ICC to achieve criminal justice in the framework of Libyan sovereignty. We hope that the Libyan dialogue currently under way in Skhirat in fraternal Morocco will succeed in achieving broad agreement among the participants to form a national unity Government, even if some interlocutors decide to withdraw for any reason. Restoring State institutions and extending State authority to all its territory is the only way to end the criminality and human rights violations and to achieve justice for all.

The President: I now give the floor to Prosecutor Bensouda to respond to comments and questions raised.

Ms. Bensouda: On the issue of the contact group which the representative of Spain raised, I welcome the interest of Spain and of others in what, I believe, could be a very important transformative process. I can already say that we have helped to facilitate initial discussions between Libya and several Rome Statute State parties. We are happy to be able to help bring other interested parties into that discussion, but, as we always say, Libya must take ownership of this process if it is to succeed.

I envisage that such a contact group would ensure a systematic and sustained focus on the issues of justice and accountability in Libya and also serve as a forum for brainstorming on how institutional capacity in Libya can be strengthened. The group could also systematically look at the challenges and needs of the Government of Libya to meet its obligations with respect to cooperation with the International Criminal Court and to advance the course of justice in Libya. I also think such a contact group could facilitate and pool resources and receive assistance from willing States for capacity-building in Libya, taking into account the issue of complementarity. Those are some of the ideas we have had that suggest such a contact group could be very useful.

The President: There are no more names inscribed on the list of speakers.

The meeting rose at 4.40 p.m.